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PACIFIC COAST HISTORY

PUBLICATIONS

VOLUME IV 4

pt. 1

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HERBERT E. JOHNSON

UNIVERSITY OF CALIFORNIA
BERKELEY, CALIFORNIA

1919

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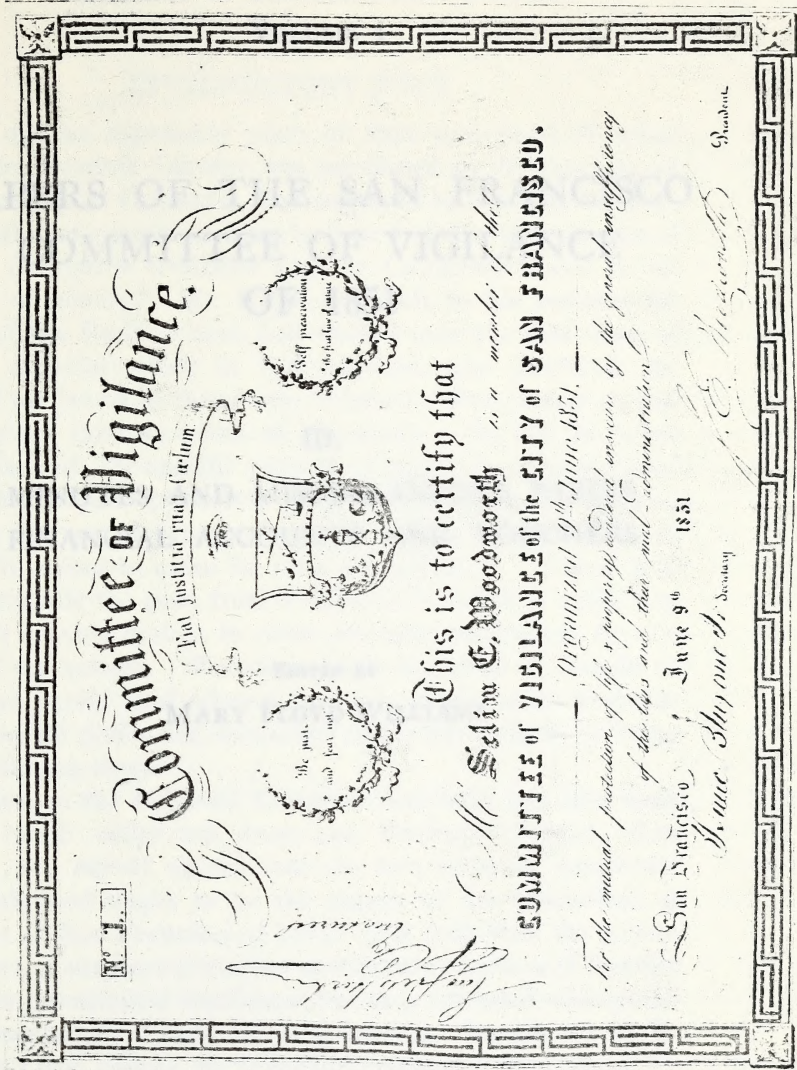
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PUBLICATIONS OF THE
ACADEMY OF PACIFIC COAST HISTORY
VOLUME 4

INTRODUCTORY NOTE

PAPERS OF THE SAN FRANCISCO
COMMITTEE OF VIGILANCE
OF 1851

III.

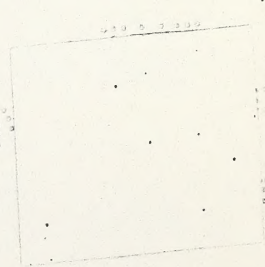
MINUTES AND MISCELLANEOUS PAPERS
FINANCIAL ACCOUNTS AND VOUCHERS

EDITED BY

MARY FLOYD WILLIAMS

UNIVERSITY OF CALIFORNIA
BERKELEY, CALIFORNIA

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Edited by
MAE FLOYD WILLIAMS

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INTRODUCTORY NOTE

This volume represents years of hope and years of work. When the Bancroft Library was purchased by the Regents of the University of California, and conveyed to Berkeley in 1906, it was felt that something must be done to make its treasures of original documents available both to Californians and to all students of history. Mr. H. H. Bancroft in his monumental history of the Pacific Coast, had worked over the vast mass of original material which he had collected, and published the result of his labors in thirty-nine volumes. But he was an historian rather than an editor of documents. He had made his collections with the specific purpose of using the material himself. The present generation of historical students, however, demands the text of documents rather than an interpretation of them. It wants to make its own interpretation. Every generation regards the past from a different standpoint and every historical scholar desires to draw his own conclusions from a study of the records. Therefore every custodian of records of more than purely local interest feels it a duty to make available to the general public the documents under his care, by printing and publishing them.

So soon as the Bancroft Collection had been put into some sort of rough order ten years ago, Professor Teggart, then Curator, and myself agreed that the first series of documents to be published ought to be the papers of the Committee of Vigilance of San Francisco of 1851. Not only were the papers themselves of surpassing interest as exhibiting a phase of frontier life under unexampled conditions, but they corrected widespread misrepresentations of early life in California. Despite Mr. H. H. Bancroft's first volume on "Popular Tribunals" (vol. 36 of the *Works*) legends were still current, and stories persist appearing upon the First Vigilance Committee, which could only be extirpated by the actual knowledge of the

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tempts were made from time to time by such eminent writers as the late Professor Josiah Royce to explain the popular justice of the pioneers, but all the various historical and philosophical explanations needed to be checked or illustrated by documentary evidence. No greater service could be rendered not only to historians of civilization in general, and of California civilization in particular, but to the descendants of the men who settled the city of San Francisco, than the publication of the original papers of the Vigilance Committee, which had passed from the hands of Mr. Isaac Bluxome Jr., to those of Mr. H. H. Bancroft, and from him, through the wise action of the Regents, to the University of California.

The Academy of Pacific Coast History was brought into existence to publish and make widely known the sources of Pacific Coast History, and No. 7 of the first volume of the publications of the Academy, which appeared in July, 1910, contained the *Constitution* of the San Francisco Vigilance Committee of 1851 with the *Book of Names* of the members of the Committee edited by Mr. Porter Garnett. In the following year, in July, 1911, was published, also under the editorship of Mr. Porter Garnett, the *List of Names Approved by the Committee on Qualification* of the Committee of Vigilance as No. 2 of the second volume of the publications of the Academy. Then came a long pause. It was clearly seen that the work could not be carried on in this piecemeal fashion. The papers had to be arranged and studied and prepared for publication as a whole by some one who had patience, scholarly insight and training in methods of historical research, and who also had an enthusiasm for the broader subject of San Francisco local history. The editor was at last found in the person of Miss Mary Lloyd Williams, whose father had been a San Francisco pioneer resident of California from 1847 to 1913.

One who has seen the papers themselves can realize the magnitude of the task, and the countless problems that attend the decipherment of handwriting, the spelling of names, and the verification of obscure allusions to

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INTRODUCTORY NOTE

persons, places and events. With what pains the editor's work has been prosecuted is shown by the contents of this bulky volume, and the careful and elaborate index. Miss Williams has made all students, not only of San Francisco history, but of the general history of pioneer conditions, her grateful debtors.

But when the editor's work was done, came the question of meeting the expense of publication. At one of the early meetings of the Pacific Coast Branch of the American Historical Association held at Berkeley, after some account had been given of the treasures of the Bancroft Collection, Mr. James D. Phelan of San Francisco generously offered to pay for the printing of the papers of the Committee of Vigilance. As a man deeply interested in the history of San Francisco and as a collector of California documents he appreciated the value of the work being done by the editor, and it is to the munificence of United States Senator Phelan that the present publication owes its existence. It is to be hoped that other benefactors may arise to follow Senator Phelan's example and to make possible the publication of other primary documents throwing light on the history of California.

It may be added, in conclusion, that Miss Williams, after spending years in the study, collection and editing of these documents, has naturally been led to a desire to interpret their meaning. Basing her specific study of the events in San Francisco, which led to the formation of the Vigilance Committee of 1851, upon a general investigation of the conditions in pioneer days in California, she has embodied the results of her work in a volume entitled *The San Francisco Committee of Vigilance of 1851: Its Significance in the History of California*. This volume, though issued to accompany the Papers of the Committee of Vigilance and based upon them, is complete in itself, and will appear in the *University of California Publications in History*.

H. MORSE STEPHENS.

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The documents printed under the title *The Papers of the San Francisco Committee of Vigilance of 1851*, comprise a collection of manuscripts preserved by the secretary of the Committee, Isaac Bluxome, Jr., and presented by him to Hubert Howe Bancroft when the latter was writing his *Popular Tribunals*, in the years 1875 to 1877.¹

The Academy of Pacific Coast History has for many years desired to publish in full this interesting portion of the Bancroft Library. Under the editorship of Mr. Porter Garnett, Parts I and II have already appeared, consisting, respectively, of the *Constitution and List of Members*, printed in 1910, and the *Names Approved by the Committee on Qualification*, printed 1911.²

The material presented in this, the third part, includes all the remaining documents which seem to warrant publication,³ and embraces minutes of meetings, executive orders, reports of committees, confessions of prisoners, financial accounts and vouchers and general correspondence. It was the intention of the editor to preface these *Minutes and Miscellaneous Papers* with a study of the local conditions which led to the formation of the Committee and with a chronological narrative of its activities, but, owing to the great length of the documents, it has seemed better to print the archives by themselves with their own index, and to publish the historical sketch as a separate volume. A few words of comment are, however, necessary as an introduction to the pages which follow.

The months that immediately succeeded the establishment of state government in California gave sorry proof that the courts

¹ See H. H. Bancroft, *Literary Industries*, 1890, pp. 658-660.

² Publications of the Academy of Pacific Coast History, Vol. 1, No. 7, and Vol. 2, No. 2.

³ A list of the papers which remain unprinted is given in Appendix H.

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authorized by the first legislature were powerless or unwilling to preserve order, and allowed a dangerous criminal element, recruited largely from the British penal colonies, to outrage the entire state with unpunished robberies, murders and incendiary fires. San Francisco suffered in exaggerated ratio to its size and financial interests; efforts at municipal reform were futile; a voluntary patrol, established with the consent of the city authorities, proved insufficient to guard the community, and in an effort to meet the emergencies of the moment, prominent merchants, on June 9, 1851, organized the Committee of Vigilance "For the maintenance of the peace and good order of Society and the protection of the lives and property of the citizens of San Francisco."

The association conducted its work with a curious mixture of secrecy and publicity. Its entrance into civic affairs was signalized by the execution of John Jenkins, who was hanged before daylight, June 11, for a robbery committed on the previous evening. During the subsequent coroner's inquest one hundred and eighty-three members of the Committee acknowledged their common responsibility for the execution, by publishing in the daily papers an announcement of the organization and a list of early signers. Commodious headquarters were immediately leased and their location mentioned in notices printed in the public press. There the Executive Committee met on almost every day for three months, and the General Committee, numbering in all seven hundred and seven, at less frequent intervals. The guarded rooms were open only to members, although complainants, witnesses, and sometimes public officials, were admitted as occasion required. One of the remarkable characteristics of the Committee was the pains taken to preserve a record of its work, and the minutes, reports, testimony and confessions were attested and annotated with the utmost care. The larger part of these are plainly written on heavy blue paper of a uniform size of 8½ by 12 inches, but occasional pages are of inferior quality, some are torn and soiled, and not a few are nearly illegible, owing to awkward handwriting, or to the deterioration of the

paper. Unfortunately, some important items are missing from the files, and the catalogue of the Bancroft Library has never included a book of early minutes of the Executive Committee, and a large volume of transcript of testimony which are mentioned in *Popular Tribunals*, nor a book of minutes of the General Committee called for by a resolution of July 9, and when, in the spring of 1914, Mr. Bancroft was kind enough to discuss with me the work of the Committee, and the sources of its history, he could not recollect the fate of these records, nor have the relatives of Mr. Bluxome been able to give any information that might lead to their recovery.⁴

As the critical study of the Committee, now in preparation, will consider the historical significance of these archives, it is necessary to explain here only the manner in which they have been rendered into print.

The secretary was accustomed to fold the records like legal papers, and endorse them with a descriptive title and the date of filing. Related documents were often collected by attaching them to the relevant report, and filing the entire group under the date on which it was considered in open meeting. This system has been followed, in arranging the papers for publication, and where there is no date of filing, documents appear under the minutes to which they pertain, when such juxtaposition seems desirable. The majority of the papers, however, were filed, and are printed, on the dates given in the text, and reference to minutes and reports has made it possible to place most of the undated material in fairly accurate position.

The minutes, where they have been preserved, precede the miscellaneous papers of corresponding date, and with a few exceptions, the order of business, as recorded by the secretary, determines the sequence of the reports and communications which follow.

The Committee was reorganized on September 17, 1851, and thereafter meetings were held at longer intervals, and the minutes

⁴ See *Popular Tribunals*, I, 242, 258, 265, and *infra*, pp. 89, 247. An allusion to the volume of transcripts seems to be made on p. 360.

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were copied into a permanent record book. That volume has not been reproduced as a separate unit, for such treatment would preclude the insertion of miscellaneous papers in their proper position.

The accounts of J. W. Salmon, the first treasurer (pp. 752 to 753), and of A. J. McDuffee, sergeant-at-arms (pp. 764 to 765), were submitted to the Committee on loose sheets of paper. Eugene Delessert, and his successor, George R. Ward, used a treasurers' book, which they kept with business-like neatness and accuracy (pp. 754 to 763).

The titles of documents are copied from the endorsements made by the secretary. Where several papers were folded together, and endorsed only on the outer page, all are printed under a single heading, and blank lines designate the limits of independent portions. Headings supplied by the editor are enclosed in square brackets.

Notes written on the face of a document are prefaced by the word [Annotated:], and those on the back, by [Endorsed:]. Addresses of letters are reproduced, as they sometimes throw useful light upon the subject, or method of correspondence. Unnecessary repetitions, in headings, annotations, and text, have usually been omitted. Words and phrases, once written, and then crossed out, have been printed in brackets, whenever they contain information not otherwise recorded, and explanatory matter found only in the drafts of minutes and resolutions is incorporated in brackets with the text of the revised copy.

The spelling of proper names often varies in a single paragraph. Where verification has been possible, the correct form is used in footnotes and index, but although many prisoners and witnesses, otherwise unknown to fame, can be identified in the newspaper reports of the criminal courts of San Francisco, the spelling of their names is still far from authentic. Names of the members of the Committee have already been verified, and printed,⁵ and the forms there adopted have been used in the present publication, unless some new information necessitated

⁵ *Papers of the San Francisco Committee of Vigilance of 1851, I.*

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correction. The editor of that list of names notes that the sergeant-at-arms assigned to the members numbers slightly different from those appearing in the book of signatures, and as the documents show that his numbering was used for the purpose of identification, it is employed here, wherever such reference is necessary.

Autograph signatures are distinguished by the term [Signed], and the absence of brackets, in this connection, indicates that the word was supplied in the original document.

Contemporary newspapers explain many allusions, otherwise obscure, and they are constantly cited in the footnotes. Several important papers, now missing from the files, have been recovered from the pages of the *Alta California* and the *San Francisco Herald*, which, at the request of the Committee, published the full evidence in some of the more conspicuous cases. A few reprints have also been made from H. H. Bancroft's *Popular Tribunals*.

Space has forbidden comment upon all the interesting events, persons, and places named in the text, but footnotes have been made, wherever they were necessary to give a clear understanding of local conditions, and the work of the association. Attention is called to important characters, at the first mention of their names, and cross-references have been made freely, in an effort to trace their subsequent appearances in the records of the Committee of Vigilance.

The papers are printed as they stand, without editorial revision. Indispensable corrections have been inserted in square brackets, and phrases, confused by the lack of necessary punctuation, have been set apart by spaces, which somewhat define their connection. Asterisks, supplemented by notes, indicate illegible words, and the sign [...] is used to show that a sentence was left uncompleted by the writer. A few necessary expurgations have been made without further comment. The Committee employed no stenographers, to catch long narrations with facile exactness. Merchants whose fortunes often turned on the chance of a single day, sat hour after hour at the bare table in the

"Executive Chamber," writing laborious, verbatim reports of the examinations and statements that fill the hundreds of pages preserved in the archives of the association. They show the haste of their composition in errors of spelling, faulty punctuation, and confused abbreviations, and they are reproduced as they stand, not with the idea of placing them on a par with documents of profound historic importance, but in order to give them their true value as the expression of an honest attempt to discover the exact truth under circumstances where prejudice, excitement, and the consciousness of unauthorized, but unrestrained, power, tended to make men reckless of human life. As it is, their atmosphere of tense vitality hardly survives translation into the medium of print, but academic correction and polish would have eliminated it altogether.

It is interesting to note that the president of the Committee, Stephen Payran, urged that the documents should be "carefully preserved in good faith, that in future their [the members'] action may be shown to any representative body should it be required."⁶ It was impossible for him to anticipate to what a wide circle of readers they would appeal. The personal element, important as it may be to the descendants and relatives of the actors, fades into insignificance before the broader human interests which vitalize every page. Above the ashes of the devastated public archives of San Francisco, these papers stand alone as a record of the life and thought and conditions of an important period. From them we can reconstruct the youthful city, its busy streets, its dark and dangerous alleys, its wharves, its gambling hells, its vicious lodging houses. And fresh from this environment came the witnesses and prisoners, speaking with naïve frankness of their daily life, their friends, their enemies, their business, pleasures, hopes and disappointments. Evidence in courts of law is so hedged and limited by technicalities that it is cold and lifeless in comparison with these statements in which truth, and truth alone, was demanded, and frankness was the prisoner's best safeguard against condign punishment. Here is

⁶ See p. 639.

a working laboratory for the psychologist, the criminologist, and the student of detective problems, whether professional or literary in his interest. And the students of social movements and of political institutions will also find the material of value as the record of a sincere and conscious effort to remedy an intolerable condition by the resort to direct and unauthorized interference with established methods of government. Writers of American history⁷ have already related the Committees of Vigilance of San Francisco to the phenomena constantly characteristic of the advancing westward frontier, and such theories may be amplified, with profit, by fuller knowledge of the inner workings of this association.

It was the realization that the papers would prove of interest from many standpoints that prompted the careful analysis presented in the Index. This should be studied by every reader, not alone for particular references, but as a substitute for the subject guides which are usually found in a table of contents. The chronological arrangement of the papers has assembled them in a bewildering and chaotic sequence, but the keys supplied by the Index and Appendices should make the confused pages both readable and fascinating. For there are many fascinating stories in these crumbling sheets: the story of Sam Whittaker and his friend, Mrs. Hogan; of little Mary Lye, rescued from life-long suffering by the president of the Committee of Vigilance; of Samuel Church, the desperado and horse thief; of Theodore Dahlgrén, a type of voluble, injured innocence, and, most sensational of all, the story of James Stuart, leader of the Sydney convicts and of his unfortunate "double," Thomas Berdue. Trace Stuart's career and associates through the Index and Appendices E and F, and the keenest excitement in the history of the Committee of Vigilance will be unravelled beneath your eyes.

Every reader of the papers will form his own judgment of

⁷ See Frederick J. Turner, "Western State Making in the Revolutionary Era," in *American Historical Review*, vol. I, 1895-1896, pp. 76-78, and Lois K. Mathews, "The Mayflower Compact and its Descendants," in *Mississippi Valley Historical Associations, Proceedings*, vol. 6, 1912-1913, pp. 103-104.

EDITOR'S NOTE

the men whose actions are here revealed, but this may be said of them, with little fear of contradiction: they were honest in their conviction that their course was justified by the condition of their city; while their first trial was hasty and the subsequent execution accompanied by riot and violence, thereafter they were untiring in their efforts to disclose the exact facts in every case before them; they exercised their self-appointed office with justice and mercy, and when the majority felt that their mission was accomplished, they quietly withdrew from participation in public affairs.

In the concluding moments of a long and absorbing occupation, the editor may be allowed a few lines of personal expression, in her acknowledgment of thanks to those who have given generous assistance in the preparation of this volume:

To Professor Henry Morse Stephens, head of the Department of History of the University of California, whose foresight anticipated the value of the publication and whose loyal encouragement and unfailing interest have made possible the completion of the work:

To Professor Frederick J. Teggart, former Curator of the Bancroft Library and first editor of this series, under whose supervision all the puzzling problems of style and form were carefully elaborated:

To Professor Herbert E. Bolton, the present Curator of the Bancroft Library, and the present editor of the series, who has helped in the decision of all matters of final importance:

To Professor Herbert I. Priestley, also of the Bancroft Library, who has greatly assisted my researches in the collection, and who has most kindly read the proof of the entire volume, comparing it, page by page, with the original documents:

To Mr. Joseph W. Flinn, Superintendent of Printing of the University Printing Office, whose technical skill has met every difficulty involved in printing documents of such unusual character, and whose patience in the face of unavoidable, but vexatious delays, has called forth my most sincere appreciation:

To Dr. Owen C. Coy, Secretary of the California Historical

EDITOR'S NOTE

Survey Commission, who has given me much useful information gleaned from his researches in the county archives of the state, and has placed at my disposal the valuable maps he has prepared for his *Guide to the County Archives of California*.

To Mr. Hill Tolerton, of San Francisco, who not only informed me of the preservation of the banner presented to the Committee of Vigilance by the ladies of Trinity Church, but allowed me to use photographs of it prepared for his forthcoming volume of rare illustrations, to be entitled *Old San Francisco*.

I wish also to express my profound thanks to Lieutenant Reed B. Cherington, who made the minute analysis necessary for the Index, and whose advice, after war service forced him to abandon the work, was of the greatest help in classifying and assembling the individual references.

With Mr. James R. Duff, a member of the Committee of Vigilance of 1851, I spent some pleasant hours full of spirited reminiscences of those stirring days, and with Mr. Edward P. Flint, the last survivor of the Executive Committee of 1856, I had several most interesting conversations. Both of these pioneers have passed away, but their loyalty to the fundamental principle of the Committee of Vigilance was unshaken after sixty years of normal civic life. And it was a definite principle that inspired that association, these careful records establish that fact beyond a doubt, and nowhere is it more clearly expressed than in the words of President Stephen Payran: "It is an old and popular doctrine that it may be necessary to sacrifice the government to the people, but never the people to the government."⁸

MARY FLOYD WILLIAMS.

⁸ See p. 373.

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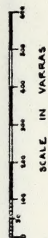
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ILLUSTRATIONS

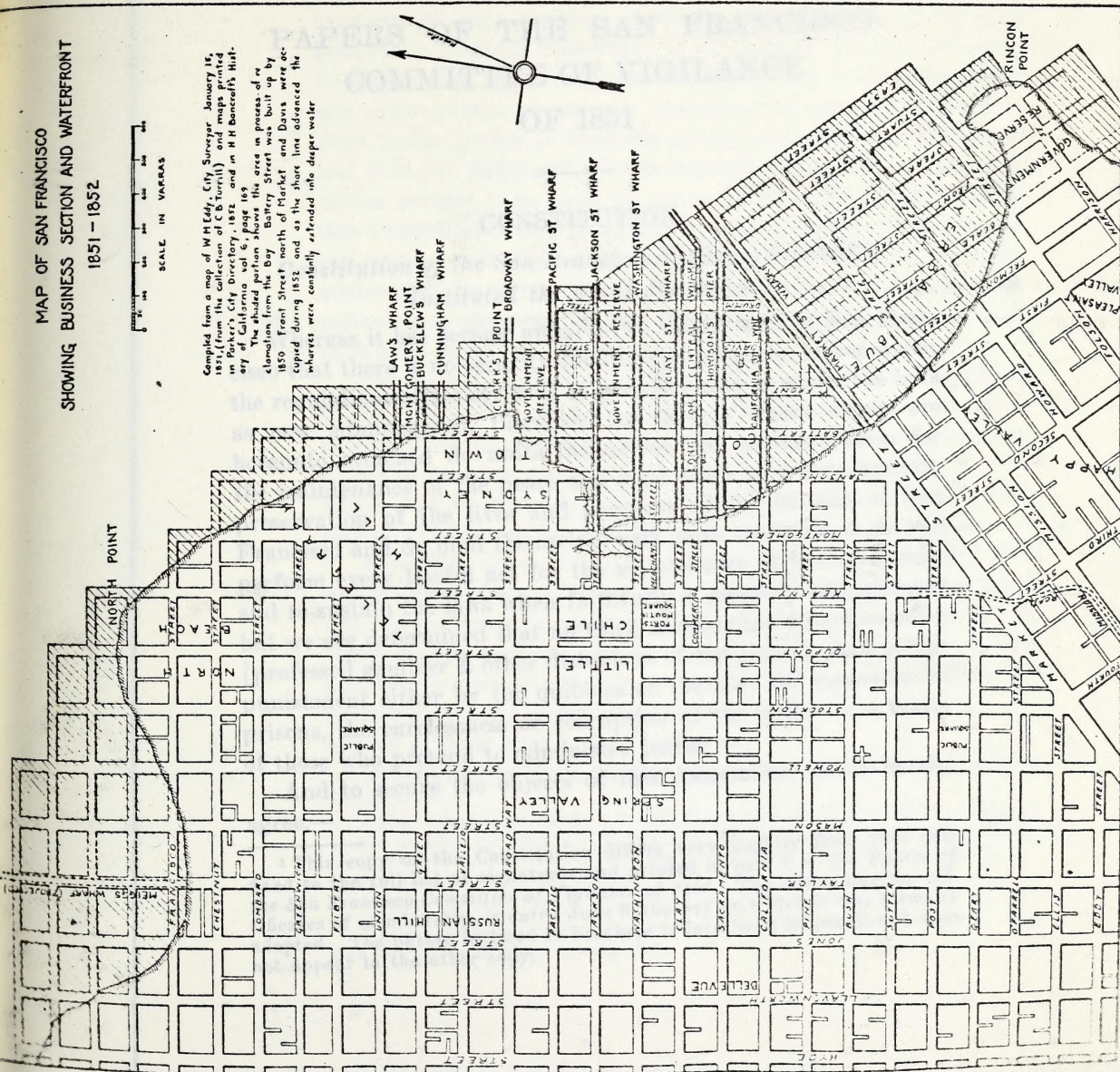
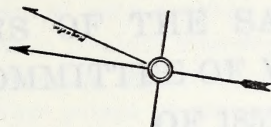
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Documents illustrative of the methods adopted by the Committee of Vigilance have been selected for reproduction, and at the same time, care has been taken to avoid duplication of the interesting facsimiles that appear in the first volume of J. H. Bancroft's "Popular Republics."

MAP OF SAN FRANCISCO SHOWING BUSINESS SECTION AND WATERFRONT 1851 - 1852



Compiled from a map of W.H. Eddy, City Surveyor, January 16, 1851, from the collection of C.B. Torritt, and maps printed in *San Francisco City Directory*, 1852, and in H. Bancroft's *History of California*, 1852, and in *San Francisco City Directory*, 1852. The shaded portion shows the area in process of reclamation from the Bay. Battery Street was built up by 1850. Front Street north of Market and Davis were occupied during 1852 and as the shore line advanced the wharves were constantly extended into deeper water.



to accompany Report of the San Francisco Committee of Vigilance of 1851, Part III.
as edited by Philip Lloyd Williams, December 1917

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ACADEMY OF PACIFIC COAST HISTORY

First, that the name and style of the Association shall be the
Committee of Vigilance for the protection of the lives and
property of the citizens and residents of the City of San Fran-
cisco

Secondly,—that, there shall be a town selected for the meet-
ing and deliberations of the Committee at which there shall be
any other person who shall be the discoverer of any act of violence
done to the person or property of any citizen of San Francisco
and if in the judge the member or members of the Com-
mittee present shall be justified the interference of the law or
this Committee shall be the protection of the laws or
the purpose of taking such

PAPERS OF THE SAN FRANCISCO COMMITTEE OF VIGILANCE OF 1851

CONSTITUTION

*Constitution of the San Francisco Vigilance Committee
Instituted the 8th of June 1851*

Whereas it has become apparent to the Citizens of San Francisco that there is no security for life and property, either under the regulations of society as it at present exists or under the laws as now administered, therefore the citizens whose names are hereunto attached do unite themselves into an association for the maintenance of the peace and good order of society and the preservation of the lives and property of the citizens of San Francisco and do bind themselves each unto the other to do and perform every lawful act for the maintenance of law and order and to sustain the laws when faithfully & properly administered but we are determined that no thief, burglar incendiary assassin [professed gambler & other disturbers of the peace¹] shall escape punishment either by the quibbles of the law, the insecurity of prisons, the carelessness or corruption of the police or a laxity of those who pretend to administer justice.—

And to secure the objects of this Association we do hereby agree,—

¹ This copy of the Constitution differs very slightly from that prefixed to the full list of signatures and printed in part I of the *Papers of the San Francisco Committee of Vigilance of 1851*. The latter, like the certificates of membership, is dated June 9, the day on which it was formally adopted. The phrase inclosed in brackets is interlined in pencil and does not appear in the other copy.

First, that the name and style of the association shall be the "Committee of Vigilance for the protection of the lives and property of the citizens and residents of the City of San Francisco

Secondly,—that, there shall be a room selected for the meeting and deliberations of the Committee at which there shall be some one or more members of the Committee appointed for that purpose in constant attendance at all hours of the day and night to receive the report of any member of the association or of any other person or persons whatsoever of any act of violence done to the person or property of any citizen of San Francisco and if in the judgement of the member or members of the Committee present it be such an act as justifies the interference of this Committee either in aiding in the execution of the laws or the prompt and summary punishment of the offender the Committee shall be at once assembled for the purpose of taking such action as a majority of the Committee when assembled shall determine upon,—

Thirdly,—that it shall be the duty of any member or members of the Committee on duty at the Committee room whenever a general assemblage of the Committee is deemed necessary to cause a call to be made by two strokes upon a bell situated [. . . ²] which shall be repeated with a pause of one minute between each alarm. The alarm to be struck until ordered to be stopped,—

Fourthly,—that when the Committee have assembled for action the decision of a majority present shall be binding upon the whole Committee and that those members of the Committee whose names are hereunto [attached do³] to pledge their honor and hereby bind themselves to defend and sustain each other in carrying out the determined action of this Committee at the hazard of their lives & their fortunes,—

Fifthly,—that there shall be chosen monthly⁴ a President Sec-

² The Committee made use of the bells of the California Engine House on Bush and Market Streets, and of the Monumental Engine House on Brenham Place. The latter is more often mentioned as sounding the signal on important occasions.

³ From the copy of the Constitution mentioned above.

⁴ In spite of this clause the officers were not frequently changed. See list of officers in the Introduction.

First, that the name and style of the association shall be the "Committee of Vigilance for the protection of the lives and property of the citizens and residents of the City of San Francisco."

Secondly, that there shall be a team selected for the meeting and deliberations of the Committee at which there shall be some one or more members of the Committee appointed for that purpose in constant attendance at all hours of the day and night to receive the report of any member of the association or of any other person or persons whatsoever of any act of violence done to the person or property of any citizen of San Francisco and it is the judgment of the member or members of the Committee present it be such an act as justifies the interference of this Committee either in aiding in the execution of the laws or the prompt and summary punishment of the offender the Committee shall be at once assembled for the purpose of taking such action as a majority of the Committee when assembled shall determine upon.

Thirdly, that it shall be the duty of any member or members of the Committee on duty at the Committee room whenever a general assembly of the Committee is deemed necessary to cause a call to be made by two strikes upon a bell attached to the wall which shall be repeated with a pause of one minute between each strike. The alarm to be struck shall be ordered to be stopped.

Fourthly, that when the Committee have assembled for action the decision of a majority present shall be binding upon the whole Committee and that these members of the Committee whose names are hereunto attached do hereby bind themselves to defend and sustain each other in carrying out the determined action of this Committee at the hazard of their lives & their fortunes.

Fifthly, that there shall be chosen monthly, a President and

The Committee made use of the halls of the California Pacific House on First and Market Streets and of the Commercial Union House on Mission Street. The latter is now often mentioned as meeting the same as important sessions.

From the copy of the Constitution mentioned above it is seen that the names of the members were not frequently changed. See list of officers in the introduction.

retary & Treasurer and it shall be the duty of the Secretary to detail the members required to be in daily attendance at the Committee room. A Sergeant at Arms shall be appointed whose duty it shall be to notify such members of their detail for duty.— The Sergeant at Arms shall reside at and be in constant attendance at the Committee room.—

There shall be a standing Committee of Finance and qualification consisting of five each and no person shall be admitted a member of this association unless he be a respectable citizen and approved of by the Committee on qualification before admission.

(To this constitution were annexed the names of seven hundred and five citizens) Among others were

[Signed]	W. Oscar Smith	Chief of Police
"	W ^m H Clarke, of [Boat] Police	
"	F. C. Ewer.	
"	C. Bohrer	Deputy Marshal
"	J J Boyd	do do
"	I Bluxome Jr	

* Lewis was arrested on the night of June 2, on suspicion of setting fire to his room in a lodging house on Long Wharf. The Vigilance Committee was not then organized, but among its papers is preserved this copy of the testimony given before the recorder, and comparison shows that the manuscript is more detailed than the contemporary report of the trial given in the *San Francisco Herald*. The continuation of the case has frequent mention in the following pages, and resulted, on July 22, in conviction and a sentence of four years' imprisonment. Donnelly, the first witness, made an effort to secure a reward offered for the arrest of incendiaries, but it does not appear that he succeeded.

* The El Dorado was the most famous gambling house in San Francisco.

MINUTES AND MISCELLANEOUS PAPERS

WEDNESDAY, JUNE 3, 1851

MISCELLANEOUS PAPERS

*The People vs Benjamin Lewis¹**Copy of testimony before The Recorder*

Bryan Donally—police officer, Last evening between the hours of ten and eleven was walking on my beat on Long Wharf—heard the cry of "Police"—came up—asked what the matter was.—Said there was a fire up stairs and that there was suspicious characters & to look out for them—Saw two men on the stairs and one was preventing defendant from coming down. Caught him and told him to stop—asked where the fire was & could not find out. Whistled for the officer to come up & gave defendant in charge of some men and went up stairs to look after the fire & came down stairs & went back up stairs again and found the room where the fire was in and found it fastened—pushed it open—found it full of smoke—stooped down & went in—lifted up the mattresses and found the fire underneath—when I lifted up the mattress it began to blase—cried for water and officer—came in with water & we put fire out—came down stairs & asked who occupied the room—was told it was the man whom I stopped on the stairs—found he had gone away and searched for him & found him in the El. Dorado² standing over

¹ Lewis was arrested on the night of June 2, on suspicion of setting fire to his room in a lodging house on Long Wharf. The Vigilance Committee was not then organized, but among its papers is preserved this copy of the testimony given before the recorder, and comparison shows that the manuscript is more detailed than the contemporary report of the trial given in the *San Francisco Herald*. The continuation of the case has frequent mention in the following pages, and resulted, on July 22, in conviction and a sentence of two years' imprisonment. Donnelly, the first witness, made an effort to secure a reward offered for the arrest of incendiaries, but it does not appear that he succeeded.

² The El Dorado was the most famous gambling saloon in San Francisco.

MINUTES AND MISCELLANEOUS PAPERS

WEDNESDAY, JUNE 3, 1881

MISCELLANEOUS PAPERS

The People in the House of Representatives

Copy of testimony before the Committee

Bigan, Thomas—police officer. Last evening between the hours of ten and eleven was walking on my beat on Frank Wharf—heard the cry of "Police"—came up—asked what the matter was—Said there was a fire up stairs and that there was some person's character & to look out for them—Said two men on the stairs and one was preventing defendant from coming down. Caught him and told him to stop—asked where the fire was & could not find out. Whistled for the officer to come up & saw defendant in charge of some men and went up stairs to look after the fire & some down stairs & went back up stairs again and found the room where the fire was in and found it fastened—pushed it open—found it full of smoke—stepped down & went in—lifted up the mattress and found the fire underneath—when I lifted up the mattress it began to blaze—cried for water and officer—came in with water & we put the out—came down stairs & asked who occupied the room—was told it was the man whom I stopped on the stairs—found he had come away and searched for him & found him in the R. R. corridor, standing over

A Lewis was arrested on the night of June 2, on suspicion of killing him to his room in a building known as Long Street. The defendant was not then arrested, but some of his papers in possession of the Committee were not then returned. The Committee report shows that the defendant is now detained in the metropolitan police of the first given in the case was also. The Committee of the case has proposed motion in the following paper and resulted in July 22, in connection with a sentence of two years imprisonment. The first witness made an effort to make a second effort for the arrest of defendant, but it does not appear that he succeeded.

The 12th District was the most serious gambling school in San Francisco.

[June 3, 1851]

a monté Table—Was not certain he was the man—asked him to walk down on Long Wharf with me—Asked where he was on L Wharf at the time of cry of fire—asked him why he left—he said because he was burnt out the last time and did not want to be burnt out again—Asked him if he roomed in the house where the fire was discovered—Asked him why he did not stop there—said he did not wish to get burnt—Said he was going up to bed & smelt the smoke and returned. Arrested him and brought him to the station house. Have no doubt that deft. is the man I first arrested. It occurred on Long Wharf between $\frac{1}{2}$ past 10 & 11 o'clock. It was between two mattresses on the floor—In the end of the mattresses—When I lifted it up it began to blase.

Cross-Examination. I saw the deft. last time about nine o'clock on Long Wharf walking with a boatman. I was taking a coat up to a man who was arrested for being drunk. Then met him on the stairs where the fire was. I spoke to him. I spoke to him as he was coming down stairs,—he did not answer me for some time. The room was up stairs of a building on Long Wharf. They have Lodging rooms up stairs. The stairs lead up outside. There were 3 or 4 persons about when the alarm was given and some sleeping in the rooms up stairs—Suppose there were ten persons there. Could tell a man by examining him closely—Met Deft. on the 3^d or 4th stair. There was a light in the sign outside. Noted he was poc-marked and had his boots outside his pantaloons. Told him to stop there & left him in the hands of a man, then went up stairs. There was considerable smoke in the entry. Opened the doors of several rooms and went down stairs and then up stairs again & burst open the door of Deft's room. I put my arm against the door & opened it. Don't know whether there was a handle or lock on the door. Did not notice if there was a bedstead. Noticed two mattresses on the floor. Did not discover any money in the mattresses. We threw them down stairs. The clothes about the floor smelt oily. There was no candle or lam[p] in the room. Saw no combustible matter about the room except the bed. There was a hole in the ticking—have not been in the room since. In about $\frac{1}{2}$ an hour after came down to the El. Dorado, went in the door that fronts on Kearney St. Deft was not at the first table, was standing at the table with

a mantle Table—Was not certain he was the man—asked him to walk down on Long Wharf with me—asked where he was on Long Wharf at the time of fire—asked him why he left—he said because he was burnt out the last time and did not want to be burnt out again—asked him if he roomed in the house where the fire was discovered—asked him why he did not stop there—said he did not wish to get burnt—said he was going up to bed & smell the smoke and returned. Arrested him and brought him to the station house. Have no doubt that that is the man I first arrested. It occurred on Long Wharf between 10 & 11 o'clock. It was between two mattresses on the floor—in the end of the mattress—When I lifted it up it began to blow.

Cross Examination. I saw the bell last time about nine o'clock on Long Wharf waiting with a boatman. I was looking a man up to a man who was arrested for being drunk. They met him on the stairs where the fire was. I spoke to him. I spoke to him as he was coming down stairs—he did not answer me for some time. The room was up stairs of a building on Long Wharf. They have looking rooms up stairs. The stairs lead up outside. There were 3 or 4 persons about when the alarm was given and some sleeping in the rooms up stairs—Suppose there were ten persons there. Could tell a man by examining him closely—Met Bell on the 3d or 4th stair. There was a light in the stair outside. Noted he was bare-headed and had his pants outside his pants. Told him to stop there & let him in the hands of a man then went up stairs. There was considerable smoke in the entry. Opened the doors of several rooms and went down stairs and then up stairs again & passed upon the door of Bell's room. I put my arm against the door & opened it. Then I knew whether there was a candle or lamp on the door. Did not notice if there was a bedstead. Noted two mattresses on the floor. Did not observe any money in the mattress. We threw them down stairs. The clothes about the floor would only. There was no candle or lamp in the room. Saw no combustible matter about the room except the bed. There was a hole in the floor—have not been in the room since. In about 15 or 20 minutes after came down to the 1st floor where in the door that leads on Liberty St. Bell was not at the first table was standing at the table with

[June 3, 1851]

his hands in his pockets. Deft. put his foot on a bench and put his hand to his face. He was at the right hand side of the dealer. Think he put his right hand to his face. The table is to the right of the door as I went in—had not been in the house over a minute when I observed him. I asked him to walk down on Long Wharf. Did not think it proper to tell him I was an officer. Told him I wanted him to walk with me for company. Wore my badge on the outside of my coat. I asked the question for information. I had suspicions of the man. He said he was down there in the evening at the time of the alarm of fire. He then asked me if I was not the man who stopped him on the stairs. I said I was—asked him why he left. He said he had got burnt out at the last fire and then said he did not want to get burnt again—said when he smelt the smoke in going to his room & came away. Dont think he was drunk—he staggered—don't know whether he was drunk or not—sometimes he would walk straight. As I was taking him down to the station house he said at the alarm of fire he went down stairs & took a drink and went away—had no more conversation with him—asked the proprietor if he knew the man—said he was the one he had reference to at the time of the fire.

(Signed) Bryan Donnelly.

Lewis Hallmin. Reside on Long Wharf in the same house where the fire was—Saw Deft. yesterday. When I moved down Deft. said he was going to the mines yesterday. It was about 2 o'Clock—About 3 o'Clock he took his blanket & went off & in one hour he came back and said I don't believe i'll go to the mines to day—Will go to-morrow—After this he went away & in 2 hours came back and asked the landlord why he did not give him a room to live in & gave me one—The landlord said he did not wish to rent the room any more & wanted it himself. In the night between 10 & 11 o'Clock was sitting in my room and heard a light tread—heard a gentleman coming up and the step was as easy as can be so as not to make a noise. He opened his door without making any noise—that is deft's door—He stayed in his room a few minutes—he locked his door and went off again. just the same step not to make any noise between 5 & 10 min-

[June 2, 1871]

his hands in his pockets. I felt put his foot on a bench and put his hand to his face. He was at the right hand side of the chair. Think he put his right hand to his face. The table is to the right of the door as I went in—had not been in the house over a minute when I observed him. I asked him to wait down on Lang Street. Did not think it proper to tell him I was an officer. Told him I wanted him to wait with me for company. When my badge on the outside of my coat. I asked the question for information. I had suspicion of the man. He said he was down there in the evening at the time of the alarm of fire. He then asked me if I was not the man who stopped him on the street. I said I was—asked him why he felt. He said he had got hurt out at the last fire and then said he did not want to get hurt again—said when he smelt the smoke in going to his room & upon way. (Don't think he was drunk—he staggered—don't know whether he was drunk or not—sometimes he would walk straight. As I was taking him down to the station house he said at the stairs of fire he went down stairs & took a drink and went away—had no more conversation with him—asked the proprietor if he knew the man—and he was the one he had reference to at the time of the fire.

(Signed) Byron Doolittle.

I was Hurlin. Reside on Lang Street 77 feet in the same house where the fire was—Saw Jack yesterday. When I moved down I felt said he was going to the mine yesterday. It was about 2 o'clock—about 2 o'clock he took his blanket & went off & in one hour he came back and said I don't believe I'll go to the mine to day—Will go tomorrow—After this he went away & in 2 hours came back and asked the landlord why he did not give him a room to live in & gave me one. The landlord said he did not wish to rent the room any more & wanted it himself. In the night between 10 & 11 o'clock was sitting in my room and heard a light tread—heard a gentleman coming up and the step was as easy as can be so as not to make a noise. He opened the door without making any noise—that is left's door—He stayed in his room a few minutes—he looked the door and went off again—just the same step not to make any noise. Between 5 & 10 min-

[June 3, 1851]

utes after the same man came up again in the same way so as not to make any noise—step slowly—I wanted to see what was going on—opened my door and saw deft standing before his door—then I locked my door. Then Mr. Keith one of the witnesses came up and said there must be some fire in the house.—he knocked at my door and said there's fire in my room—told him no. I told him there was no fire in my room. We were hunting round & this deft. was on the foot of the stairs & Mr Keith told Deft. not to leave—wanted to find out where the fire was. Then Mr Tufts & Mr Johns came out of their rooms hearing the alarm and wanted to find where the fire was—and some one bursted the door of deft's room open—there we find the fire under the mattress at the foot—behind the door—which swings to the left. There were two mattresses—They were lying on the floor, and under them there was oil. The calico mattress was underneath—the other one on it. We took one mattress away and brought some water to make the fire out. That is all I know until Deft. was going off. About 15 minutes after the watchman, Donnelly, brought him back. Then the Landlord said "What you spill some oil up in your room for" He looked above where the oil came through and did not say anything. The first time I came out of my room, he was standing at the door. When Mr. Keith cried "fire" deft was at the bottom of the stairs—Could not tell whether he went up stairs again or not as I was getting some water.

Cross examined I have known deft since yesterday—he occupied a room in the same house—he had N° 2 and I N° 3—Went to my room between 10 and 11 oClock—had been in my room about 5 minutes when I heard footsteps coming up stairs. My room door was locked at the time. Heard him when he just commenced coming up the stairs. He made no noise coming up the stairs except opening his door. He opened his door as easy as can be—heard him inside—Co[u]ld not tell what he was doing—did not see a light—had a light in my room—I believe a person coming up out side could see a light in my room—I was sewing some clothes & was sitting still. The first time I could not tell who it was came up stairs. The second time he came up he did not go into his room but stood outside—I opened my door

After the same man came up again in the same way as he
not to make any noise—step slowly—I wanted to see what was
going on—opened my door and saw Jeff standing before his
door—then I looked my door. Then Mr. Keith came of the vi-
sages came up and said there must be some fire in the house—
he knocked at my door and said there's fire in my room. We were
him no. I told him there was no fire in my room. We were
hunting round & this Jeff was on the foot of the stairs & Mr.
Keith told Jeff not to leave—wanted to find out where the fire
was. Then Mr. Keith & Mr. John came out of their rooms hear-
ing the alarm and wanted to find where the fire was—and soon
one pushed the door of Jeff's room open—there we had the fire
under the mattress at the foot—behind the door—which swings
to the left. There were two mattresses—They were lying on the
floor, and under them there was oil. The other mattress was
underneath—the other one on it. We took our mattresses away
and brought some water to make the fire out. That is all I
know and Jeff was going off. About 15 minutes after the
watchman came, brought him back. Then the landlord
said "What you will come off up in your room for" He
looked above where the oil came through and did not say any-
thing. The first time I came out of my room, he was standing
at the door. When Mr. Keith said "the" Jeff was at the bot-
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Cross examination. I have known Jeff since yesterday—he oc-
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Went to my room between 10 and 11 o'clock—had been in my
room about 5 minutes when I heard footsteps coming up stairs.
My room door was locked at the time. I heard him when he first
commenced coming up the stairs. He made no noise coming up
the stairs except opening his door. He opened his door as early
as can be heard him inside—(I could not tell what he was
doing—did not see a light—had a light in my room—I believe a
person coming up but could not see a light in my room—I was
seeing some clothes & was sitting still. The first time I could not
tell who it was came up stairs. The second time he came up he
did not go into his room but stood outside—I opened my door

[June 3, 1851]

and saw Deft standing there. I stood in my door looking at him about 3 minutes. I wanted to see what was going on because I was a stranger in the house & smelt fire. I know he did not go into his room the second time because I watched him. He may have stood at his door about a minute before I opened my door. I knew it was him came up the second time because I watched him. The first time I saw him that night after dark was between 10 & 11 o'clock standing before his own door. I first learnt the house was on fire by Mr Keith coming and knocking on my door—but I smelt it before. My door was locked at the time. When Mr Keith told me there was fire in the house Deft was within 3 or 4 steps of the lower part of the stairs—I suspected the house was on fire but had no business to go out & see. There were other people in the house. The fire was not put out when Deft left. He ran off. I saw him when he went away. I was on the stairs getting some water to put the fire out. I got the water in the lower part of the house. He left after the door was open and the room was full of smoke. Could not tell whether he ran or not as it was dark outside. I said he ran away, because he ought to have stayed in the house and have seen where the fire was. I call walking off quick running. There was plenty of old clothing in the room. Don't know if they belonged to Deft. There was some boy's waistcoats there. Did not see any mans—nor a pot of oil in the room. There was not a pot of oil or a jug of oil in the room. All I saw was oil on the floor. It looked as if it had just been spilt—also saw an empty match box & bowie knife on the floor the same place where the fire was. Saw no matches but saw a wooden box empty.

(Signed) Louis Hellmen

Stephen M. Keith— Reside on Long Wharf on the second floor this side of the Collier Hotel—was going to bed last night between 10 & 11 o'clock when I heard some one open the door and asked me if I had any fire in my premises or if there was any fire down there. I immediately knocked on the butchers door—who occupied the back part of the second story of the same building—Asked him if there was any fire in there. They said no but they smelt something. I put my nose to the door of the

[June 2, 1901]

and saw both standing there. I stood in my door looking at him about 3 minutes. I wanted to see what was going on because I was a stranger in the house & didn't like it. I know he did not go into his room the second time because I watched him. He may have stood at his door about a minute before I opened my door. I knew it was him come up the second time because I watched him. The first time I saw him that night after dark was between 10 & 11 o'clock standing before his own door. I did leave the house was on fire by the Ketch coming and landing on my door—but I wasn't there. My door was locked at the time. When Mr. Keith told me there was fire in the house I was within 2 or 3 steps of the lower part of the stairs—I suggested the house was on fire but had no business to go out & see. There were other people in the house. The fire was not put out when I left. He ran off. I saw him & he went away. I was on the stairs waiting some water to put the fire out. I saw the water in the lower part of the house. He left after the door was open and the room was full of smoke. I could not tell whether he was or not as it was dark outside. I went to the room because he ought to have stayed in the house and have seen where the fire was. I was waiting off quick running. There was plenty of oil shining in the room. Don't know if they belonged to Keith. There was some boy's waistcoat there. I did not see any more—not a pot of oil in the room. There was not a pot of oil or a jug of oil in the room. All I saw was oil on the floor. It looked as if it had just been spilled—also saw an empty match box & some balls on the floor the same place where the fire was. Saw no matches but saw a wooden box empty.

(Signed) John E. Hildner

Stephen M. Keith. — Reside on Long Island in the second floor this side of the Collier Hotel—was asked to find last night between 10 & 11 o'clock when I heard some one open the door and asked me if I had any fire in my presence or if there was any fire there. I immediately looked on the bed where door—observed the foot part of the second story of the room building—asked him if there was any fire in there. They said no but they didn't answer. I put my nose to the door of the

[June 3, 1851]

front room occupied by Mr. Murray for a shipping office—found there was no fire there—went into the Collier House in the Bar-room—asked them if there was anything on fire—Went up stairs of the Collier House—met the Deft up in the hall and asked where the fire was—he said there was no fire up there—he thought or said it was down stairs—We went together to the Butchers shop and found no fire there—I told him it must be up stairs and he must go with me to help me find it. In the mean time others, say $\frac{1}{2}$ a dossen, got around there and after that I did not see much more of this man. In the mean time the fire was discovered in a room in the head of a bed. The room was full of smoke. I helped stamp upon the fire. After it was put out went down stairs and stopped in the bar-room a few moments when the Police brought Deft. in & some of them said he was the man occupying the room. They took him away to the lock up & I went to bed. Did not notice whether Deft was going up or down the stairs as I was in a hurry. The room is immediately over the Bar-room. The spot of oil is near the partition, as near one room as the other, judging from seeing from the Bar-room. Do not know the proprietors of the house. The first time I went up stairs I saw a light under Hellmen's door and knocked & he came & said there was no fire in his room—then went to Deft & asked him where the fire was.

Cross examined.— I should not pay so much attention to a man at the time of a fire as at other times. Mr. Hellmen's door was locked. I took Deft's word that there was no fire in his room.

(Signed) Stephen M. Keith.

3 June 1851

George D. Simmonds— I stop with a friend who keeps the Collier House on Long Wharf. At 8 o'Clock last evening was acting for Stowell who keeps the lower part of house. I saw oil dripping down through the cloth ceiling. Told Mr. Stowell of it—told him he had better go up stairs and see what they were doing. He went up and found the doors locked—and in coming down met Deft on the stairs going up & came into the room where I was. Deft. said there was no oil in his room—for

front room occupied by Mr. Murray for a shipping office—found there was no fire there—went into the Collier House in the back room—asked them if there was anything on fire—Went up stairs of the Collier House—saw the light up in the hall and asked where the fire was—he said there was no fire up there—he thought or said it was down stairs—We went together to the Hatchery shop and found no fire there—I told him it must be up stairs and he said no with me to help me find it. In the mean time others say it is a house, got around there and after that I did not see much more of the fire. In the mean time the fire was discovered in a room in the back of a hall. The room was full of smoke. I helped stamp upon the fire. After it was put out went down stairs and stopped in the bar-room a few moments when the fellow brought Duff in a number of them said he was the man occupying the room. They took him away to the lock up & I went to bed. Did not notice whether there was going up or down the stairs as I was in a hurry. The room is immediately near the bar-room. The spot of oil is near the partition, as near one room as the other, looking from either side the bar-room. He not know the proprietors of the house. The first time I went up stairs I saw a light under Holburn's door and knocked & he came & said there was no fire in the room—then went to Duff & asked him where the fire was.

Cross examined.—I should not pay so much attention to a man at the time of a fire as at other times. Mr. Holburn's door was locked. I took Duff's word that there was no fire in his room.

(Signed) Stephen M. Esdaile.

3 June 1851

George D. Sturges.—I step with a friend who lives in the Collier House on Long Street. At 5 o'clock last evening was waiting for Sturges who keeps the lower part of house. I saw oil dripping down through the slat ceiling. Told Mr. Sturges of it—told him he had better go up stairs and see what they were doing. He went up and found the door locked—and he mounted down and left on the stairs going up & came into the room where I was. He said there was no oil in the room—the

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the oil dripping down did not come from his room, but proceeded from Tenant's room—About 11 o'clock, witness Keith came in & wished me to go up stairs & see if there was a fire up there, as there was a great smoke and he smelt it on the next block. Told him he must go up alone & followed him out of the front door & saw him going up stairs which is within a foot of the Collier House.—I saw the Deft coming down the stairs fronting Keith going up. Keith stopped him & told him he could not go & put his arms out & stopped him.—Seeing this I sung out for the Police. I then left & went about my business. Should think deft had been boarding at the house 2 or 3 weeks—had seen him a dosen times pass & repass every day. He came in with the proprietor about 8 o'clock to see about the oil dripping down—between that time and the alarm had not seen him. When Mr Keith stopped Deft on the stairs, I was within 2 feet of him. I can stand on the sill of the Collier House and look up.—Deft did not say anything when Keith stopped him. James S. Martelle & Hawes C. Stowell are the proprietors of the lower part

Cross examination— At the time Mr. Stowell found the doors locked I knew it because he told me when he came down.

(Signed) George D. Symmonds.

June 3d 1851

Edward Johns— Reside on Long Wharf in the second story over the butcher's store. Last night somewhere about 10 o'clock I heard a person come up stairs & go into the room opposite the one I occupy—wanted to know who the person was—opened the door to see who he was—I saw Deft. going down the stairs—shut the door & went to bed. In a few moments heard a person come up & go into the room again—and by the cracking of his boots thought it was the same man. I noticed his boots cracking the first time he came up. I heard the friction of matches in the room—he stopped but a short time in the room and went down again—then he came up again in a very short time & I heard the friction of matches again—another person came up then & there was some whispering. Noticed nothing more until I was awakened by the alarm of fire in the house. I got up and told my room-mate to strike a light—he did so and the first man who

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struck my sight was Deft. standing on the steps—went back to my room to put on my boots & when I got out again he was gone—I saw nothing more of him until he was brought in by the Police-man. I went into the room where I heard the fire had been—there was no matrass in it at the time—saw some stain in the room behind the door—The scraping of matches was in the room where the fire was said to be—could not tell how long it was between the last scraping of matches and the cry of fire as I got into a drowse.

Cross Examination— First saw Deft when I opened my room to see who had come out of the room opposite to mine. It was in the vicinity of 10 o'Clock—that was the first time I heard him go to his room—heard him go to his room 3 times and should think it was him on account of the cracking of his boots as I noticed them the first time. The whole 3 visits occurred within an-hour. There was no one with him when I saw him—Afterward there was some-one came up & I heard whispering—I think—at the door—Could not tell what they said—Was not in bed the first time he came up—the other times I was—Laid in bed, perhaps, 20 minutes before I went to sleep—Have seen Deft. often—have known him by sight at least 2 months—he has occupied the room since the 4th or 5th of May—Saw no light in the room that night.

(Signed) Edward Johns.

3 June 1851

Henry W. Tufts— Reside on Long Wharf & occupy the room opposite the one on fire last night—Mr Johns is my roommate—came into the room about 1/2 hour after dark & feeling drowsy laid down with my clothes on on the bed—was sleeping, could not tell how long—Mr Johns was playing on a musical instrument & I heard more noise than usual since we occupied the room—thought there was something strange going on—As we were going to bed Mr Johns asked me to go down & have an Oyster Stew—asked him if he meant it—and at the same time he opened the door & said it was defendant outside the door. We went to bed & before I got to sleep I heard the friction of matches as if some one was lighting them but could not tell

at such my sight was left standing on the steps—went back to my room to put on my boots & when I got out again he was gone—I saw nothing more of him until he was brought in by the Fellow-man. I went into the room where I heard the cry had been—there was no mattress in it at the time—now some stain in the room behind the door—The scraping of mattress was in the room where the fire was said to be—would not tell how long it was between the last scraping of mattress and the cry of fire as I got into a house.

Even Examination.—First saw (left) when I opened my room to see who had come out of the room opposite to mine. It was in the vicinity of 10 o'clock—that was the first time I heard him go to his room—heard him go to his room 3 times and should think it was him on account of the scraping of his boots as I noticed them the first time. The whole 3 events occurred within an hour. There was no one with him when I saw him—Afterward there was someone came up & I heard whispering—I think—at the door—Could not tell what they said—Was not in bed the first time he came up—the other time I was—bald in bed perhaps 20 minutes before I went to sleep—Have seen him often—have known him for eight at least 2 months—he has occupied the room since the 1st or 2nd of May—Saw no light in the room that night.

(Signed) Edward Johns

3 June 1851

Henry W. Tall.—Reside on Lomb Street 2 occupy the room opposite the one on the last night—My table is my room-mate—came into the room about 1/2 hour after dark & feeling drowsy laid down with my clothes on on the bed—was sleeping could not tell how long—Mr Johns was playing on a musical instrument & I heard more noise than usual since we occupied the room—thought there was something strange going on—As we were going to bed Mr Johns asked me to go down & have an Oyster Stew—asked him if he meant it—and at the same time he opened the door & said it was behind outside the door. We went to bed & before I got to sleep I heard the scratching of mattress as if some one was shifting there but could not tell

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whether it was in the room where the fire was or in the entry—heard nothing more until they came up stairs about the fire—spoke to Mr Johns—Got up and lit the candle and commenced putting on my clothes. By that time there was considerable people entered. Did not see any light at the time in the entry or in the rooms—took my candle & a gentleman from out side light[ed] one from it—by that time the door was open & they went in and sombody kicked the bed & said 'here's the fire.' I stood outside talking to some-one & presently some one went into the room again & hauled the head of the bed up & found a knife & said there was a box of matches there—went in with my candle—see it looked wet and put my hand down & could not smell oil—but it felt greasy—I went down stairs and saw Deft and the Policeman with him & they pointed to the oil & deft said he burnt lamp oil & the officer took him by the shoulder & they went out doors.

Cross Examination. Know the deft. by sight only—he has been pointed out to me on Long Wharf—did not see him until I saw him in the bar-room—When my room mate opened the door & said it was the man—I knew it was Defendant he meant—We had been talking about him that evening. Did not see any matches but saw a box in the room—saw the Bowie knife in the sail-maker's hand—There was no portion of the room burnt—Did not see the bed in the room—Saw a carpet Bag on a shelf in the room & some rubbish—there have been several sleeping there—don't know how many.

(Signed) Henry W. Tufts

3 June 1851

Joshua B. Nickerson— Reside on Long Wharf over the Contra Costa Market—It is in the same building where the fire occurred—Went to bed about 9 o'Clock—Between 10 & 11 a friend of mine asked me if I did not smell something on fire—said I did—in about 5 minutes discovered smoke in the room & we all jumped up. Some one sung out the building is on fire. I was trying to find a light & could not. I went out & saw in the room what I thought was oil on the floor also a place burnt—Did not see Deft after 3 o'Clock yesterday afternoon—he was outside in

(June 2, 1851)

whether it was in the room where the fire was or in the entry—
heard nothing more until they came up stairs about the five—
o'clock to Mr. Jones—Got up and lit the candle and commenced
pursuing on my clothes. By that time there was considerable
people entered. Did not see any light at the time in the entry
or in the room—took my candle & a gasolene from our side
light (all) and went in—by that time the door was open & they
went in and somebody asked the bed & said "don't the fire." I
stood outside waiting to enter the & presently some one went into
the room again & handled the head of the bed up & found a knife
& said there was a box of matches there—went in with my candle
—saw it looked very and put my hand down & could not reach
it—but it felt wrong—I went down stairs and saw that and
the policeman with him & they pointed to the fire & said he
burnt lamp off & the officer took him to the neighbor & they
went out doors.

Cross Examination. When the bell by which I had
been pointed out to me on June 27th—did not see him until
I saw him in the bedroom—When my room mate opened the
door & said it was the man—I knew it was the man he meant—
We had been talking about him that evening. Did not see any
matches but saw a box in the room—saw the knife handle in the
wall-mounter's hand—There was no portion of the room burnt—
Did not see the bed in the room—Saw a carpet bag on a shelf
in the room & some rubbish—there have been several sleeping
there—don't know how many.

(Signed) Henry W. Tullie

2 June 1851

John E. Nicholson—Reside on Lane Street over the
Gentry's Store—It is in the same building where the fire
occurred—When I fed about 9 o'clock—between 10 & 11 a friend
of mine asked me if I did not smell something on fire—and I
did—in about 5 minutes observed smoke in the room & we all
jumped up. Some one went out the hallway is on fire. I was
trying to find a light & could not. I went out & saw in the room
what I thought was all on the floor when a flame burst—Did not
see Bell after 2 o'clock yesterday afternoon—the man outside in

[June 3, 1851]

front of the house—the place burnt was not quite so large as my hand—I rented the market & let the rooms above for the proprietors. The room where the fire was I let to Deft. about the first of May—before the fire the time had expired and I told defendant we did not want to rent it to him any more—It was on Tuesday morning I spoke to him again on Monday—said he had taken a part of his things out but did not give up the key. In the after-noon deft. was talking with me of the witnesses & he asked me why he could not have it again—told him the agents did not care about hiring it again.

(Signed) J. B. Dickerson

June 3^d 1851

Henry C. Stowell Reside on Long Wharf—2 building from the corner of Front St. About 8 o'Clock Mr Simmonds told me there was some lamp-oil dripping through the ceiling—went up stairs to the room & found it locked—it was No 2 the room occupied by Deft. As I turned to come down the prisoner was coming up. He asked me what I wanted—told him I came up to see where the oil came from. Asked him to come down & I would get a light & go up stairs. He came down & I pointed to the oil-spot & asked him if it did not come from his room. He said it did not. I said I thought it did. We went up stairs together looked to see if there was any oil in the entry—saw there was none—I asked him—do you pretend to say that oil does not come from your room—he said it did not it came from Mr Tenents room. We then came down stairs & I pointed to the oil the second time—I told him it must come from his room—he said it did not—Then let the matter drop. Took a chair & put on the counter & found it was oil then returned until I heard the cry of fire—about 11 o'Clock. Had buckets filled with water and the fire put out—Went into the room this morning & found the floor strewed with oil—directly in the spot where it would drip upon the counter—saw the prisoner when the police brought him in & then asked him about the oil. He said it might have leaked out of a jug. The Police officers said they thought he was the man & took him off—did not see him until he was arrested.

Cross Examination. Don't know deft's name—have seen

[June 3, 1851]

him around the building about 3 weeks—Saw a bottle in his room with a part of a candle in it—Saw a quart jug in the corner of the room—Did not examine it.

(Signed) H. C. Stowell.

June 3^d 1851

William H. Coit— Reside in Washington Street in Cottage Alley between Dupont & Stocton Sts—Geo. W. Trembley of Stocton owns the building which was on fire last night—Coit & Beals of which firm I am one are the agents for letting & receiving rents of the building—We rented to Hildreth & Wicker-son & to Mr Stowell the lower part and up stairs the two Front rooms to Mr Tenant & the other rooms were rented to Mr Nickerson through our direction.

(Signed) William H. Coit

June 3^d 1851

JUNE 11, 12, 13, 1851

MISCELLANEOUS PAPERS

Witnesses Examined before the Coroner's Inquest as to the Cause of the death of a man named Jenkins,¹

June 11th & 12th

Capt Ray	Police officers
" Hardin[g]	" "
" J. P. Noyes [Noyce]	" "
" Blitz	" "
" North	" "
Capt Devere [Divier] Street Commissioner	

¹ John Jenkins, the first prisoner of the Committee, was captured on the evening of June 10, after stealing a safe from the office of G. W. Virgin, on Long Wharf, and was taken to the headquarters, in Brannan's building, where he was immediately tried and found guilty. He was hung on the Plaza before daylight amid a scene of great excitement and violence. The coroner's jury charged nine designated members of the Committee with accomplishing his death, but as 183 citizens at once avowed, in the newspapers, their joint responsibility for the act, and as public opinion strongly sustained them, no prosecutions followed. His name occurs in connection with several other cases and various statements proved his close connection with the gang of Sydney convicts.

[June 11, 12, 13, 1851]

Ex Mayor Geary
 Hon D. C. Broderick
 Mr. Van Bokelen
 S. Brannan
 H.H. McAllister
 E. Niles
 J. R. Malony

[A second list, longer than that above, is as follows:]

Coroner's Office, Old Alcaldes Building

Captain Hyatt	Oriental Hotel
" Hardin[g]	3 ^d District, Statien House
Officer Robinson	2 ^d "
Capt Devere [Divier]	Str Commissioner
[Officer] Kelly	
" S. A Moore	2 ^d do
" Frank Lemon	City Assessor
" Judge Geary	
" Capt Ray	2 ^d District
" H. North	2 ^d do
" Conner	2 ^d do
" McGrath	2 ^d do
Blitz	2 ^d do
Nesbit	2 ^d do
Van Bockylun	Tax Collectors office
I Cole	
S. Brannan	
E. Wakeman	
E. Niles	
D. C. Broderick	
G. T. Everett[?]	

At one O'clock P. M.

June 11th 1851

T. M. Leavenworth, Foreman

Ray [Captain of the Police] Jenkins 8 last evening Mr
 Tucker, Long Whafe, recognized the man that informed of
 the mans arrest pointed out Mr Brannans House. Mr Bran-
 nan came to the door & told me to wait Saw the man about 2

[June 11, 12, 13, 1851]

o'clock saw the man then he had a halter around his neck
 saw a man with a billy struck at me dont know the
 man 6 or 7 officers moonlight night 1000 persons Mr
 McCahill² dont know that he wished to interfere with me, and
 in 15 minutes saw him hanging, [within] 25 feet of him the
 same place where I assisted to let him down from did not see
 any person have hold of the rope dont know hand cuffed at
 that time. dont know any person that had hold of the rope, Mr
 Broderick was present at the time, and perhaps can inform you.
 Charles Wilson informed me that the arrest was made."

Capt. S. C. Hardin[g] (sworn) I saw the man named
 Jenkins. I have known him for several months think he kept
 the House called *Uncle Sam* in Dupont St, Sydney Valley. I
 saw the man this again this morning he was under a guard,
 at the time dont know the names of any persons that had
 hold of him when I first saw him he had no rope on his
 neck sayd untie my handkf saw the Handcuffs, saw him 10
 feet from the rail moonlight, saw the man that had the
 rope in his hand and put it on his neck. That man was Capt
 Wakeman,³ understood that he resided up the river, standing
 about two feet off. No other person to my knowledge, another
 person named Ward was present⁴ Brother of Frank Ward
 confident that was his name the same person that was on the
 grand jury drew a pistol on me & sayd that he would shoot
 the first man that cut him down Capt. 3^d dist police Ira
 Cole, Citizen saw the man when he was hoisted away. should
 think that there were 25 men that [had] hold of it. Wakeman
 appeared to be assisted by the crowd. One man struck me, dont
 know his name, declared myself an officer, I was not where capt.
 Ray was when taken hold of. dont recollect of seeing McCahill
 there dont know him by name Mr Ward was about the
 nearest one up to him when he was run up" They were all
 citizens good Americans. dont know of any understanding by
 the police of rescuing the prisoner.

² Thomas McCahill, V. C. No. 90.

³ Capt. Edgar Wakeman, V. C. No. 91.

⁴ J. C. Ward, V. C. No. 9.

[June 11, 12, 1851]

o'clock saw the man then he had a better around his neck
saw a man with a billie attack at me don't know the
man 6 or 7 officers moonlight night 1000 persons Mr
McCall don't know that he wished to interfere with me and
in 15 minutes saw him hanging (about) 25 feet of him the
same place where I assisted to let him down from did not see
any person have hold of the rope don't know hand pulled at
that time don't know any person that had hold of the rope Mr
Brooks was present at the time and perhaps can inform you.
Charles Wilson informed me that the arrest was made."

Capt. S. C. Handman (answer) I saw the man named
Jackson I have known him for several months think he kept
the house called Clark was in DuPont St. Spokane Valley I
saw the man this again this morning he was under a guard
at the time don't know the name of any persons that had
hold of him when I first saw him he had no rope on his
neck says with my hands saw the Handman saw him 10
feet from the rail moonlight saw the man that had the
rope in his hand and put it on his neck That man was Capt
Wahman understood that he reached up the rope stand
about two feet off No other person to my knowledge another
person named Ward was present brother of Alvin Ward
said that was his name the same person that was on the
ground jury there a pistol on me & said that he would shoot
the first man that put him down Capt. 3d dist police. The
Capt. Wilson saw the man when he was hanged says should
think that there were 25 men that (had) hold of it. Wahman
appeared to be assisted by the crowd One man struck me don't
know his name described myself an officer I was not where caught
they were taken hold of don't recollect of seeing Mr. Call
they don't know him by name Mr. Ward was about the
nearly one up to him when he was run up They were all
citizens good Americans don't know of any understanding by
the police of releasing the prisoner.

*Thomas Wright, V. C. No. 85.

*Capt. John Wahman, V. C. No. 86.

*J. C. Ward, V. C. No. 87.

[June 11, 12, 13, 1851]

B. S. Blitz off[i]cer (sw[or]n) Police officer Commercial St Station. dont know that I ever saw the man before about 2 O'Ck saw him on the plaza 20 feet [from] Liberty pole⁵ heard some persons [say] that they intended to hang him. Saw the man's arms tied, struck me. I was within about 7 feet of him did not see any rope there, did not see him when he was run up. Saw persons there recognized Mr Sam^l Brennan saw him standing in front of the *adobe House*,⁶ Burgoyne door⁷ Went to the man and saw where the rope was made fast to the rail, saw the person that made the rope fast The man appeared to be dead Brannan talking with another person. About *Day Break* had my Star on The crowd did not appear to be disguised Great many persons on the square. There did not appear to be any understanding as to the rescue

H. North (sworn) Police Officer 2^d district I was standing in the Plaza when they were trying him crowded around him, I got hold of him a second or two. recognized *Mr Ward* he drew a pistol on me He did not speak to me, recollect that he would shoot me if i interfered with the man, he appeared to be very much excited at the time Saw a *rope* in the hands of some *gentlemen*, they were standing on a cart or waggon, dont know their names think I could recognize them again. I went in to feel the man think I have seen the man before, dont know his name Hanging 10 minutes Number of persons standing there, did not see Mr Brannan, nor Cap^t Wakeman, dont know of any understanding by the police for the rescuing of the man.

J. L. Van Bokelen⁸ (sworn) Reside Kearney St, City Hall. I claim the constitutional privilege of refusing to answer any

⁵ The flagstaff, 111 feet high, a gift to San Francisco from the citizens of Portland, Oregon, had been erected on the Plaza July 4, 1850. Soule, *Annals of San Francisco*, 281.

⁶ The "Old Adobe Custom House," on the northwest corner of the Plaza, was a landmark surviving from the early Spanish days. *Ibid.*, 255.

⁷ "Was on the front step of Mr. Burgoyne's." Report of the inquest in the *S. F. Herald*, July 12, '51.

⁸ J. L. Van Bokkelen, V. C. No. 173.

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[question] that may tend to criminate myself. That the corps pointed out to me as one of the Sydney gang by various persons in the city looks very much like he was strangled, saw him hanging, Refused to answer as tending to criminate myself said after daylight 12 o'clock I understood that some man had been caught stealing and that he had gone before the people to be tried. I have no knowledge of my own that he was tried last night, shipping office no particular person told me. Know Capt Wakeman, 3 mos^s Sam^l Brannan since Yesterday morning, on the *same grounds*. I was in Union Hotel 8 or 9 o'ek I was near enough to hear any conversation that took place (not the subject of Talk) refused to answer that I was present when the man was tried also, when hung, whether knew any person that was present at the time—I believe that he was hung by the people "En Mass"

J. P. Noyes [Noyce]⁹ (swor[n]) Police officer 3^d district

I will give my reasons I have every reason to believe that there is a secret committe or inquis[i]tion in this city and if I should tell what I have seen & know as to what occered that I should be in danger of my life. The fear I labor under is that it would tend to the loss of my life. I have been present when the witness was examined & I have [evidence¹⁰] stat[ed] that my testimony wold be new matter, & that would tend to

⁹If the testimony of Officer Noyce was reliable, it gave the best account of the scenes immediately preceding the execution. It is to be noted that the copy among the papers of the Vigilance Committee touches lightly on his fears, and omits all mention of the fact that the court was cleared during his testimony, which, in spite of such precautions, was given in full, to the very men of whom he stood in dread. The following extract is reprinted from the *S. F. Herald*, June 12:

"Refused to answer any questions—being called upon for his reasons he stated that he refused because he had every reason.

"He believed every man in the city liable to be seized and carried before the Secret Tribunal, and therefore he feared for his life if he should testify against them . . .

"Here, on motion of a juror, the court was cleared. The reporters were allowed by the coroner and jury to remain, under oath not to publish their notes of the witness's testimony until the prohibition was removed by the jury. But on the return of the witness he peremptorily refused to answer until the reporters retired. The remainder of his evidence was of course given with closed doors."

¹⁰ The word in brackets has been crossed out.

[June 11, 12, 13, 1851]

crim[in]ate other parties. The cause I [know] only by report. Last ev[en]ing 9 o'ck Bell arrested for stealing taken to Mr Bran[n]an house Cor. Bush & Sansome St on my beat Dupont St. 120 Street 100 people in the square 200 persons at *Branna[n]'s house* $\frac{1}{2}$ an hour several gentlemen standing on a Box on the East end of the Building. I heard a person in side move for a new trial. That person by his voic[e] was Mr Branna[n] Several persons said No, "no" Heard the prisoner say shoot me like a man dont hang me like a dog They then shut down the window. Walked around in front of the Building saw a man stand in the door persons gave a pass word, said the "Association or Member of the Ass" $\frac{1}{2}$ hour Mr Brannan called the attention of the crowd & said that they had tried the Man & they were going to hang him, and asked them their opinion they gave an almost unanimous shout in the affirmative. Ring in an hour I left there, came up in the square saw Polic[e] office[r]s said they had no order as to the rescue. I said that I would act as a citizen in endeavoring to rescue the man I asked the question if there was any orders as to the rescue from the Marshall or Mayor. Saw Capt Devere [Divier] Bell said to hang the man. He said what do you think I am, did not know who rung the Bell. Went down saw a la[r]ge crowd coming up with a rope in front of them dodged under the rope & saw the man [hand]cuff[ed] I took hold of the man & saw a man took to be *Mr North* said Noyes I am with you. We had stopt the prisoner when Mr *James Ward* came and put a pistol to my breast. I made no remark. Took hold of the pistol told him for *Gods* sake desist are you a Christian *Mr Ward* said I'll blow your heart out or let go of the man then felt two pistols at my breast *Degrass B Fowler* at that moment *James Murray*,¹¹ *Mr Beales* Shipping Master Mr Warner, caught hold of me and bore me off from the crowd. I fell over the rope, they picked me up & said why do you risk your life. dont know who presented the pistol at me, the next thing I heard was the creaking of that Block. I asked Lt. Beals if he had a knife. He gave me a knife, But

¹¹James Murray, V. C. No. 345.

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first asked what I wanted to do with it. I told him he then gave me it "*knife shown*" I made an attempt to cut the man down. My friends took me away again, did not see any person put the rope over the *man's* head. I heard some by bystanders say, in reference to Mr Van Bokelen that he was *spotted* because he said something that was not apparently right in testimony. Think there was at least a thousand persons present at the time the man was hung saw the cuffs shine saw no rope around his neck at all. Mr. Brannan stated that the man was found guilty of stealing a safe & found guilty & that the verdict was that he should be hung in an hour.

Adjourned to meet at 7 o'clock.

Ira Cole,¹² (sworn) Washington St. about 2 o'clock. I did not [see] him, previously to last night. He was handcuffed and in the hands of one of the policeman J Winrow, 3 feet off. Some persons had hold of him the only person I recognized as having hold of the rope was Capt *Wakeman* had hold of the rope nearest the man that was hanging, when they pulled the man up, *Wakeman* made the rope fast to the railing, standing about 10 or 13 feet from the railing. I heard him call for a belaying pin to make the rope fast to. 10 or 12 other persons had hold of the rope, the person[s] standing nearest to me was *Winrow* and Mr *Foley* Capt *Harding* I was standing within a few feet. pretty Light night could see distinctly & recognize any person I knew 2 or 3 rods dont recollect seeing put the block up. From the time I first saw the man until he was hung up could not be over $\frac{1}{2}$ an hour, saw several persons have pistols, dont know them Mr *Winrow* called on me to help him in getting the man to the Station House Had hold of him until they hauled him away from me with the rope Capt *Harding*, he asked me to unlose his handkerchief The number of individuals I could not say, most of the persons were engaged in Executing him, I think there were 1000 persons on the Square

¹² Ira Cole was an active opponent of the Committee, and helped Charles Duane when the latter attacked one of the members, F. A. Ball (see case of Duane, June 27). Cole escaped discipline in 1851, but was ordered to leave the state by the Vigilance Committee of '56. Bancroft, *Popular Tribunals*, II, 348.

[June 11, 12, 13, 1851]

Some cries to take him to the Station House, dont know who made the knot, dont know Mr Van Bockellen. Saw Mr Ward was in favor of hanging him, saw Mr Brannan there. did not hear him speak on the Square. Capt Wakeman of the *New World*, Steam Boat, Mr Foley of the circus, saw him.

Col Geary¹³ (sworn) I left the Union Hotel about 10 o'ck last evening, the only thing I know is I heard two taps of Bell. It came from the Monumental Engine House, or from that direction I think I have seen him before the Recorder."

Wm Devere [Divier] (sworn) "Street Commissioner"

Saw the man that was hung this afternoon that was the first I ever saw him according to the best of my knowledge. Last night going home heard my Bell tap. heard it twice a person was tapping it dont know who the persons were, I think the person that was ringing the bell was Mr. Bocklen. The bell was tapped again, one of my young came to me I was asleep & informed that a bell was tapping No 4. I went down & got there just as my bell begging to tap¹⁴ Richd Brommly resides foot Sacramento St I told him it would not answer A member of my Co. I put him out of the Engine House. Bromly told me that they were going to hang some man that stole a safe, put the key in my pocket shut the door about 1 & 2 o'ck I then went home, gave the charge to Mr Hossefross"

D. C. Broderick¹⁵ (sworn) Saw a man hanging up in the Square, the first information policeman Robbery on Long

¹³ Col. J. W. Geary, last alcalde and first mayor of San Francisco, had been chief executive of the city from August, 1849 until April, 1851.

¹⁴ Divier was a member of the Monumental Engine Company (Soulé, *Annals of San Francisco*, 621), and this testimony shows that the Monumental bell was used on the night of Jenkins' execution. The *Herald* names Washington Bromley, V. C. No. 56, as the young man who sounded the alarm. Hossefross, V. C. No. 199, was also a member of the Monumental Company.

¹⁵ David C. Broderick was one of the leaders of the Democratic party in California, and had been president of the Senate in its second session, January to May, 1851. He actively opposed the organization and work of the Committee of Vigilance.

[June 11, 12, 13, 1851]

Whafe & had taken the man to try him about 9 or 10 ok heard the tolling of a Bell, told it was for the purpose of getting the Committee or crowd together for the purpose of hanging the man remained on and about the corner 2 o'clock when the man was brought there. Standing near the Pole, when the crowd came up talking with Mr Branade[?] my reason was to help the Authorities in preventing the Execution. I attempted to get in the crowd I asked for the Marshall two or three persons were trying to prevent me from going towards the man

I spoke to Jones¹⁶ . . . & young Howard,¹⁷ Jones said the Citizens had taken the matter in hand Saw a rope in the hands of the crowd dont think the *man* had a rope on when I saw him, saw a man rush down, and saw John Eagan¹⁸ have hold of the *man* and hold him from the officers. My impression was that he was assisting the crowd I saw a man named Derby, appeared to be backing up the crowd by words.¹⁹ Saw Capt King there also assisting, a man named Eben Niles came up and said My God did not you see the men that pulled the rope, T. K. Battelle & Hyatt²⁰ that kept the Oriental Hotel dont know of my own knowledge that that was *Wakeman* I think there was present at the time 1500 or 2000 persons. There were no officers of the city present according to my Belief I did not see *Mr Brannan* near the man, when he was being *hanged*. It was my opinion that the result of that was the work of an organized Band I saw Mr McCahill there did not see him act, saw Mr Ward there pass me I only understood by persons around the Hotel that he [written on margin: Jones] was one of the Committee that had taken the affairs of the City in their hands. Mr J. R. Maloney informed that he was one of them A member of the Committee and excluded for not knowing the pass word It is my opinion that Mr Jones was engaged in aiding and abetting the people in hanging the man Also Mr John Eagan;

¹⁶ W. H. Jones, V. C. No. 11.

¹⁷ G. H. Howard, V. C. No. 22. The illegible phrase indicated by asterisks reads: "I think young Howard" in the *Herald* report.

¹⁸ J. T. Egan, V. C. No. 38.

¹⁹ J. C. Derby, V. C. No. 86. E. A. King, V. C. No. 14.

²⁰ T. K. Battelle, V. C. No. 142, Caleb Hyatt, No. 25.

[June 11, 12, 13, 1851]

San Francisco, June 12th 18512^d day.

J. R. Maloney²¹ (sworn) Saw a man hanging up on the Square. Saw him shortly came out of the *adobe Building* cor of Sansome & Bush St saw him near the California exchange. Dont know anything about him being tried, standing about 6 or 7 feet from him when run up. *I saw a rope around his neck,* saw a great many men have hold of the rope cant say who, cant say who that person was. 1500 or 2000. Know that there is a committee and that they were organized for the purpose [of] protecting themselves & the Community, when the Law did not do it Know Capt *Wakeman* dont recollect seeing Capt that night, saw *Ward* (James) Mr *Wardsworth*²² great deal of excitement there.

H. Mc Allister²³ (sworn) I know the fact of a man having been hung. About 12 oclock heard there was meeting opposite the *Rassette House* Large crowd there attempted to get inside of the House, saw persons passing in, giving a certain pass word, go in, saw the door keeper unknown to me, saw Mr S Brennan

Mr B Reynolds²⁴ also W. H. Jones a party came out 3 or 4 abreast prisoner in the midst, came on the Plaza about 2 ock got on a waggon, saw a man climb the Pole saw an attempt rescue him some shouted hang him on the *adobe*. Some one shouted you will committ murder. I looked & saw 25 or more persons holding the rope, and I saw amongst those persons James C Ward C Stagg Think I saw the younger Mr *Teschemacher*²⁵

²¹ J. R. Malony, V. C. No. 250. Broderick's statement that Malony was ignorant of the password, tallies with one of G. E. Schenck (MS *Statement*, Bancroft Library, p. 51:) "The first watchword of the Committee was 'Lewis.' It was afterwards changed, partly owing to the fact that Rube Malony got into the Committee, and he was not wanted there." He was known to be friendly with the disorderly element, and was banished by the Committee of '56. Bancroft, *Popular Tribunals*, II, 591.

²² J. C. L. Wadsworth, V. C. No. 40.

²³ M. Hall McAllister, a distinguished lawyer, had assisted the unofficial courts which had tried the Hounds, and the men accused of attacking C. J. Jansen (note 4, p. 137), but he disapproved of the organization of the Vigilance Committee.

²⁴ Benjamin Reynolds, V. C. No. 33.

²⁵ S. E. Teschemacker, V. C. No. 24.

[June 11, 12, 13, 1851]

& Frederick Woodworth²⁶ I also saw Mr T K Battelle Also *Mr Herne*, strongly impressed that it was them. Saw also *Mr Eagen* . . . Great deal of excitement. Heard the voice of Mr Reynolds cry Napoleon,²⁷ come here, and then the capt moved towards the *beam* & the man was hung in about 3 minutes after that I think there were not more than 1000 there a majority in favor of hanging the man many in favor of waiting till morning I did not have hold of the rope. I did not participate or sympathize with the party that [had] hold of the rope

Mr Samuel Brannen²⁸ (sworn) Cause of the man's death hung I do not know who hung the man. It was a question in my mind whether the rope was around his neck or under his arms. The first time I saw [him] was on the corner of Bush & Sansome St in charge of two men that arrested him, & left them in the house. Somebody took charge of him He did not seem to feel inclined to go away, not cuffed. Some talk of sending him to the Station House the witnesses were sent for. I dont know *refused to answer* had a trial fair and impartial trial 60 or 80 unanimous verdict of guilt, the whole body were the jury, & found him guilty That Comittee was the Comittee of Vigilance, dont know of any Bye Laws. The object of the Comittee to [be] constantly on duty for the protection of the lives & property of their fellow citizens. Saw him after he was hung & am sure that it was the man that was hung I understood there was record kept. There were 6 or 8 witnesses were present, dont know that they were put under oath. I heard a gentleman asked him if he had any witnesses to present dont recollect of motion of a new trial dont Not Binding on the Committee to secrecy To assist the Law & administer justice. I am confident he would not have been hung if not found guilty. Cant recollect the names of the witnesses object to give the names of the Comittee I have heard of threats against the

²⁶ F. A. Woodworth, V. C. No. 4.

²⁷ Napoleon Smith was V. C. No. 166.

²⁸ Samuel Brannan was the first president of the Vigilance Committee. By the time he testified the Committee had decided upon a policy of publicity, and he disclosed more facts than Van Bokkelen had been willing to divulge.

[June 11, 12, 13, 1851]

lives of the members of the Committee My information came from a prisoner in the County Prison. Do you know done by this Co. opposite to the Jail I do believe that it was through the instrumentality of the Committee that the man was hung

Eben Niles (sworn) I saw the crowd near the Liberty Pole did not see anything of the hanging other than that man was hung up did not see any person hang him or see any person have hold of the rope, I am and was in favor of hanging the man, if was found guilty and it is my opinion that he deserved death. But I am not in favor of having it done secretly, as it was done, or by a Committee, But by daylight and openly

John S. Eagan, Commercial St (Sworn) Do you know of any person connected in the trial & execution of a man by the name of Jenkins & whether they were acting in concert with a Committee or association of Citizens. Knows of no one directly participating in either as far as his knowledge extends.

Do you know if Mr Jas Ward is a member of that Committee, also Capt Wakeman, and Mr W^m H Jones. Witness is also a member, also Benj Reynolds T. K. Battelle is not a member to my knowledge. believes Mr S Thuchmaker [Teschemacher] to be a member. Is not acquainted with Mr Woodworth, dont [know] if he is a member believes Mr Derby is a member, believes Mr Stagg is not a member.

June 12th.

Cornelius Stagg, resides in Kearny St between Jackson & Washington St

Do you know any person [connected] in the trial & conviction so called of a man named Jenkins, which [were] concerned in the so called execution of that person on the Plaza, and if so were they acting in concert with a committee of Citizens on that occasion, *I do not know* that he was tried The persons engaged in the trial I do not know. I was not a member of a Committee

I was present at the execution. Were you actively engaged in the execution of that man. I decline answering on the ground [. . .]

[June 11, 12, 13, 1851]

I believe the populace executed that man.

Did not see any person put the rope over the pulley.

I think to the best of my knowledge I saw the rope thrown over the man's neck, dont know who

San Francisco June 13th 1851.

James C. Ward (sworn)

Are you prepared to state under oath, that the names presented in that list²⁹ is that of the names of persons engaged in the hanging of the man named Jenkins'

[The following fragmentary notes seem to report the discussion of evidence.]

Proved by Capt Hardin also by Ira Cole, J. P. Noyes. That the rope was put over the head and afterwards pulled on by Capt Wakeman, formerly of the Steam-boat *New World*,

Proved, by H. Mc Allister, That Thos K. Battelle, James C. Ward, Cornelius Stagg, also Mr Herne, to have had hold of the rope and pulling on it, whilst the man was hanging and still alive''

Proved, & admitted by Samuel Brannan, That the Committee was instrumental in hanging the man.

Adjourned

Members of an association of Citizens of S. F. called a Committee of Vigilance—the following members being implicated by the testimony of witness before the Jury, to wit, J. C. Ward &c

The Jury also find that the following persons members owning their responsibility of the action of the foregoing members implicated—to wit

[Resolved that the Jury hold³⁰] the members of the Com^{tt} of Vigilance equally responsible for the act of part of its members as distinctly implicated by the testimony before the Jury—

²⁹ The membership list was printed in the papers of June 13.

³⁰ Crossed out. The verdict of the coroner's jury is printed in full in the Introduction.

[Case H, 12, 1851]

I believe the papers presented that man.
Did not see any person put the rope over the pulley.
I think to the best of my knowledge I saw the rope thrown
over the man's neck, but know who
San Francisco June 13th 1851.

James C. Ward (sworn)

Are you prepared to state under oath that the names pre-
sented in that list is that of the names of persons engaged in
the hanging of the man named Johnston?

[The following testimony was given to report the decision of
evidence.]

Proved by Capt. Hardin also by Isa Cook, J. F. Noyes. That
the rope was put over the head and afterwards pulled on by Capt.
Wardman, foreman of the State Court New York.

Proved by J. M. Alister. That Capt. E. Ballou, James C.
Ward, Cornelia Stearns, also the women to have had hold of the
rope and pulling on it whilst the man was hanging and still
alive.

Proved & admitted by Samuel Wardman. That the Gov-
ernment was instrumental in hanging the man.

Adjourned

Members of an association of Citizens of S. F. called a Com-
mittee of Vigilance--the following members being nominated by
the testimony of witnesses before the Jury, to wit: J. C. Ward &c.
The Jury also find that the following persons were
their responsibility of the action of the foregoing members ap-
peared--to wit:

[Resolved that the Jury held,] the members of the Com^{tee} of
Vigilance equally responsible for the act of part of its members
as distinctly implied by the testimony before the Jury--

As the membership list was printed in the papers of June 12th
the names of the members of the vigilance committee were
in the newspapers.

[June 11, 12, 13, 1851]

Came to his death by strangulation in pursuance of preconcerted action by a society calling themselves a Committee of Vigilance of which the following are so far as we are informed the members, of whom the following are implicated by direct testimony, the remainder by voluntary admission

The jury impanelled by the

SATURDAY, JUNE 14, 1851

MISCELLANEOUS PAPERS

*Mr Van Bokelin's Report. Committee of Investigation*¹

James Arrington—in tent on North Beach would recommend to be notified to leave.²

“Four Nations” a very doubtful crib—no positive information—

Henry Beck on Sansome by Iron works a crib³

Pat Hodges in tent on hill “to many fine goods”

W^m Lavers of Columbia House, Battery complains of Mr Byrne, says he knows it to be a resort of men of bad character, thinks a strong force necessary to make arrest change dress

¹ The first systematic work undertaken by the Committee was the inspection of suspicious lodging houses in the city. This report shows how the investigations were carried on, and mentions several men closely identified with the criminal element of the community. A thorough examination of each individual was commenced without delay, and several of the names constantly reappear throughout the papers.

² James Hetherington, also written Arrington, Hadrington, Herrington, Heatherington, Etherington and Ethington. The Committee ordered him to leave town, and when he refused, and appealed to the authorities for protection, it arrested him, detained him at headquarters for examination, and deported him to Sydney. Bancroft identifies him with the Joseph Hetherington who was hung by the Committee of '56 (*Popular Tribunals*, I, 375), but this seems to be an error, as the *S. F. Herald*, June 19, '51, published a notice that Joseph Hetherington was not the man under investigation by the Committee. Joseph gave important evidence regarding Stuart, and his signature on one of the documents in that case (see p. 245), differs from that attached to James' receipt for his property, given the Committee July 2, before he sailed from San Francisco (p. 152).

³ Harry Beck, or Austin, later identified as a criminal, and arrested by the Committee.

[June 14, 1851]

very often he can give us valuable information when called upon, at any hour of the night—as [. . . Annotated in another handwriting:] no better than Byrnes⁴—

Hanson & Claxson Australian House Battery St. a watchful eye required

John Harris “ordered Closed”

Thos Byrne “Mc Manus Welcome. two women long loft for 50 lodgers & Beds Complete, single rooms with padlocks on doors.⁵

Croxton & Ward “Albion House” to be watched Carrigan Corner Ohio & Broadway.

Morris Corner on North Beach attention required

[Endorsed, incorrectly:] July 14th 1851

*June 14th 1851. Information—G. Spires—Harry Williams—
handed in, W. H. Jones.*

Geo. Spires and Harry Williams was arranged 20th January for highway robbery, true bill found [at] time of trial before Judge Parsons⁶ witnesses were not forth coming.—

Spires is now in prison for poisoning Brewer⁷—

Spires was examined by Judge Shepard,⁸ and as usual endeavored to prove an alibi, but the testimony was positive in regard to his committing the robbery—At the instigation of Judge S. the police especially Mr Sweeney kept a look out for the prosecuting witness, as it was said, the landlord of the Uncle Sam⁹ had endeavored to buy him off—He was watched until the day before the trial, but has not been seen since

[Annotated:] Proceedings on file

⁴ William Lavers, also written Levius and Levers. He had a dispute with Burns about a lost watch and appeared as a witness against him.

⁵ Thomas Burns, also written Burnes, Byrne, and Byrnes, complied with a summons to appear before the Committee, and made an unsuccessful attempt to vindicate his character. He was ordered to leave the country and was deported early in July. See note 8, p. 151.

⁶ Levi Parsons, at that time judge of the District Court.

⁷ See note 7, p. 33.

⁸ Philip W. Shephard. The spelling, which varies in contemporary papers, can be verified in the office of the recorder of San Francisco. (*Deeds*, vol. B., p. 325.)

⁹ Jenkins had been the landlord of the Uncle Sam.

[June 14, 1851]

June 14th. *Geo Hopeful. Information about man in Cat Alley*
Gentlemen

From information I have received this day, there is every Reason to believe there is a most dangerous Character living at the Corner of Cat Alley¹⁰ and Jackson Street he is a man about five feet and ten in well built very quick in his movements decently dressed goes armed with Revolver and slung shot shuns being seen in daylight My information is from citizens living in the vicinity

Yours respectfully,

[Signed] Geo H Hopeful.

June 14th. *J. Wilson, partner of Jenkins*
Ja^s Sullivan. information, Long Wharf boatman

J. Wilson Man about 5 foot 6 in—got red hair cut short. Blue Blanket coat, arm in sling, partner of Jenkins—does not know where he lives supposed near Clark's Point.—

MONDAY, JUNE 16, 1851

MISCELLANEOUS PAPERS

Police Report, June 16 1851

Report of the Night watch

Detailed squads of men in twos and threes to watch various suspicious places some supposed and others known to be cribs for sidney men¹ reports from these confirm previous suspicions but detected nothing in particular Up to one oclock this morning neither Burns or Arrington had closed their houses as ordered

Mrs Fawcett who lives six or seven doors from Pacific Street says that she knows personally all the Sidney men in town and

¹⁰ "Cat, or Murderers' Alley, a quarter to which some rude folks have applied the name of St. Giles." *S. F. Herald*, June 18, '51.

¹ Convicts from the British penal colonies were known to be responsible for many of the robberies, murders and fires that occurred at this time, and the exertions of the Vigilance Committee of 1851 were particularly directed toward ridding the community of those undesirable aliens.

[June 16, 1851]

two vessels are now hourly expected having on board some 500 men who are completely organized in their various branches of crime. That they have been sent for from here and are all picked men. That if they are prevented from landing by the authorities they have made arrangements to "lay off" near the ship with boats and let the men jump over board and swim until they pick them up. That they have their boats all ready and are in hourly expectation of the arrival of the ship. She also states that they are desperate men thoroughly regardless of human life their own as well as others and have arranged to burn and plunder the town the moment they get ashore and that they have told her that in less than six months they have numbers enough sufficient to take the town and that in that time they will have full possession.

[Signed] E. Kemp,
Captain of Watch.

[Annotated:]—No. 1 Approved June 16/51

June 16th 1851. Report of the Night Watch

John Sullivan No. 269, volunteered in my watch—was elected Boatman of the Committee—knows too many men of bad character—would recommend that he *be not trusted too much.*²

Monday Morning 12 O'clock,

Submitted to Executive Committee.

[Signed] J. L. Van Bokkelen,
Chief Patrol.

[Annotated:] Report Accepted No 1—June 16/51

June 16th 1851. Report from J. L. Van Bokkelen, Chief of Patrol
Nos. 244 [J. F. Spence] 199 [G. H. Hossefross] and 37 [A. G. Randall] June 16th

This morning at 1. A. M. a man named Yates, alias Wood was arrested by Messrs Elleard, Spence & Hossefros, in a small house on Virginia St. North side of Jackson for an assault on his wife, as he called her, who was heard to say to Yates, as they

² This Sullivan was a boatman who assisted in the capture of Jenkins. He was also the guard who first recognized Stuart, as the long sought leader of the Sydney gang (see also pp. 167 and 226).

[June 16, 1851]

were entering—"You did kill him, you know you did. You are a murderer."

At the time Yates was arrested, there was another man in the house, who was not known to the parties, arresting, but it has been proved since, almost beyond a doubt, that the man was Adams,³ the burglar, he escaped, after being knocked down by Mr. Spence

Before Yates was taken out of the house he attempted to pass a watch to his woman, but which was taken from him, and is now in possession of the Recorder who has continued the case until tomorrow.⁴—10, A. M. June 17th.

This morning about 9 o'clock, a woman went to the house that Yates occupied and enquired for the parties living there, she was asked by Mr. Matheson, the owner of the house, which she wanted, Yates or Adams, she replied that either of these *gentlemen* would answer

Police officer Gardner of the 2^d District, stated to me last night, that he knew a great many notorious thieves and other bad characters, as well as their haunts & cribs in the city, and has valuable information to give the V. Committee, but can't consistently on account of his oath of office, but if the Committee will remunerate him for his services he will throw up his appointment, and devote his time to the service of the V Committee.

[Signed] A. G. Randall

Submitted to Committee

J. L. Van Bokkelen Chief Patrol

[Annotated:] Report Accepted 2

[Endorsed:] No 2 Approved June 16/51

³ George Adams a burglar, had recently escaped from the city lockup. (See also Confession of James Stuart, note 25, p. 232.)

⁴ By means of this watch, Thomas Yates was convicted in the Court of Sessions of complicity in the robbery of a jeweler, J. H. Robert, whose house on Dupont Street had been rifled, June 1, of valuables amounting to eight or ten thousand dollars (see *S. F. Herald*, Law Intelligence, July 12-18). A list of the lost articles was filed with the papers of the Vigilance Committee, but it has no importance that calls for reproduction here. Mrs. Yates appeared before the Committee, August 27, in the case of other prisoners, and mentioned this affair of the watch.

[June 16, 1851]

*Police Report. Belcher Kay, June 16. 1851*June 16th

T. Belcher Kay was seen late last night on Powell St. under suspicious circumstances—with a drunken man, after walking up to the farther end of Powell St. and finding that he was watched, walked back with him to the square.⁵

Information from N^o 244 [J. F. Spence]

Submitted to Committee.

[Signed] J. L. Van Bokkelen

Chief of Patrol.

[Annotated:] Report accepted 3

Capt W A Howard, June 16. 1851

San Francisco—

Monday Ev. June 16/51

Mr. President.

I regret exceedingly that circumstances of a "private nature" compel me to leave for the Sandwich Islands for a time—but beg to be considered an *active* member of the Vigilant Committee always—

As the "Chairman of the Committee to ascertain the whereabouts of one Lewis" I have to inform you that *I know where he is*, and I pledge my word & honor that he is safe, and that he will be brot forth at the time of trial, and that the Sheriff⁶ & his officers are with us *Heart and Soul* & pledge themselves to keep him, and will deliver him to the court whose province it is to try him—having done that—the Committee can, if in their judgment necessary! *take him!!!* From the facilities offered me by those Gentlemen & the perfect confidence they have always confided in me as a *member of the Vigilance Committee* I have to

⁵ T. B. Kay (see Confession of James Stuart, note 26, p. 232).

⁶ Col. John C. Hays, sheriff of San Francisco County, maintained friendly relations with the Committee of '51, although, in the course of his duty, it was necessary for him to take forcible possession of two of their prisoners, Whittaker and McKenzie (see reports, August 20). The Committee had such confidence in his integrity as a public officer that it raised a large sum to assist him in completing the county jail. He took an active part in opposing the Vigilance Committee of '56. Bancroft, *Popular Tribunals*, II, 388.

[June 16, 1851]

request that an opportunity may be offered them to show they deserve the confidence of the Community—I hereby request that Mr. Geo Ward may possess the power belonging to me to vote & will answer to my name when called in the matter of *Life or Death* and such may be received as my vote—Thanking the Committee for confidence placed in me and regretting I have not had it in my power to do more I am Sir,

Very respectfully Yr Ob Servant,

[Signed] W A Howard

[Addressed:]

To the President of the Vigilant Committee
San Francisco

[Endorsed:] 4 Approved June 17/51 filed

Report of M P Burns M D. Case of Frank Brewer, Poisoned

June 16. 1851

Report of Dr. Mathew P. Burns on the Inquest of the Coroner of San Francisco on the body of Frank Brewer found dead in Montgomery Street North on the [first] day of June 1851⁷

On the Fifth day of June 1851, Edward Gallagher Esquire, Coroner of San Francisco, Submitted to me the Stomach and a portion of the small Intestines of Frank Brewer deceased, with the view of analyzing their condition and contents, and reporting to him my opinion as to the cause of death in this case.

The stomach, and such portions of the intestines as I received presented an appearance of acute inflammation, extending over their entire surface. The mucous and submucous coats were highly injected, thickened and softened, and in some places,

⁷ Joseph Turner (alias Thomas Quick), Richard Hall, and George Spires, were arrested on suspicion of poisoning Brewer, an Indian from one of the eastern states. Turner, who was later a prisoner of the Committee, was never tried on this charge, but Hall was convicted, July 31, although the evidence, chiefly circumstantial, was given by witnesses of unsavory notoriety. Spires, tried in August, was acquitted on substantially the same testimony, and late in August, Hall, granted a rehearing, was finally discharged. The cases attracted a great deal of attention and were fully reported in the daily papers. The first verdict of guilty indicated a transient, popular tendency towards severity in criminal matters, the later acquittals were more in accord with ordinary California procedure.

[June 16, 1851]

Large spots of extravasated blood were to be seen under the same. At the pyloric orifice of the stomach a large Quantity of grumous blood, with, thick, ropy tenacious mucous was found adhering. Such substances as the stomach contained consisted of half digested animal and vegetable matters. And did not, at the time I examined them, possess the odour of any alcoholic liquor.

On the supposition that the above-mentioned morbid appearances were produced by some corosive substance, I proceeded to wash the stomach and intestines, before applying any chemical re-agent, when I perceived a white crystalline powder adhering to the mucous surface of the same, about eleven inches from the pyloric orifice of the Stomach. The small intestines were perforated from the intense inflammatory action of the poison on that portion of the alimentary canal, I then submitted the same white crystalline powder that was found in the stomach and small intestines to a series of chemical Tests, which proved its nature to be Arsenious Acid, When we take into account the insolubility (or nearly so) of all the salts of Arsenic, more particularly, when mixed with organic matters, I come to the conclusion that the Arsenic found in the stomach and small intestines, must have been administered to the deceased Frank Brewer in his food; which, from all indications observable, I should infer must have been received into the stomach about three hours previous to death, In addition to the arsenious acid I also found a considerable quantity of Morphine in solution, which accounts for the fact that the stomach was able to retain the Arsenic so long without rejection.

The Morphine acted on the Brain and Nervous system as a sedative Narcotic, while the Arsenic did the work of death on the other internal organs,—

I then boiled the stomach and a portion of the small intestines along with their contents, and afterwards boiled and filtered the remaining Liquid, Which was then in a proper state for investigation, The analysis resulted in finding Arsenic and Morphine in solution,—The latter in considerable Quantity.

From the above result there can be no doubt that Brewer came by his death from the poisonous Effects of Arsenic and

(June 15, 1881)

large spots of extravasated blood were to be seen under the same. At the pyloric orifice of the stomach a large quantity of grumous blood, with thick,ropy fannous mucus was found adhering. Such substances as the stomach contained consisted of half digested animal and vegetable matters. And did not at the time I examined them possess the odour of any alcoholic liquor.

On the supposition that the above-mentioned morbid appearances were produced by some toxic substance, I proceeded to wash the stomach and intestines before applying any chemical re-agent when I perceived a white crystalline powder adhering to the mucous surface of the same, about eleven inches from the pyloric orifice of the stomach. The small intestines were perforated from the intense inflammatory action of the poison on that portion of the alimentary canal. I then submitted the same white crystalline powder that was found in the stomach and small intestines to a series of chemical tests which proved its nature to be Arsenious Acid. When we take into account the insupportable (or nearly so) of all the cells of Arsenic more particularly when mixed with organic matters, I come to the conclusion that the Arsenic found in the stomach and small intestines must have been administered to the deceased Frank Brown in his food; which from all indications observable, I should infer must have been received into the stomach about three hours previous to death. In addition to the arsenic acid I also found a considerable quantity of Morphine in solution, which accounts for the fact that the stomach was able to retain the Arsenic so long without rejection.

The Morphine acted on the Brain and Nervous system as a sedative Narcotic while the Arsenic did the work of death on the other internal organs.—

I then bedded the stomach and a portion of the small intestine along with their contents and afterwards bedded and filled the remaining ligament. Which was then in a proper state for investigation. The analysis resulted in finding Arsenic and Morphine in solution.—The latter in considerable quantity.

From the above result there can be no doubt that the death came by ligature from the poisonous effects of Arsenic and

[June 16, 1851]

Morphine combined, Sir I have The Honour to remain
Yours &c

[Signed] Matthew P. Burns M D

San Francisco June 16th 1851.

Sir

I have analysed the contents of the Phials you submitted to me for that purpose on the 4th of June Instant, and I have now to report as follows—

Phial No. 1 contains Arsenious Acid combined with Morphine, being the same combination which was found in the stomach of the deceased Brewer,

No. 2 contains Sulphuric Acid blackened by coming in contact with the cork.

No. 3 contains Strychnine saturated with moisture and adhering to the sides of the bottle.

[Signed] Matthew P. Burns M D

To R. G. Crozier Esquire

Marshal of the Police City of San Francisco

[Annotated:] Report accepted 4

[Endorsed:] Approved June 16/51

1729508

Police Report. June 16, 1851

The committee appointed by the Committee of Vigilance to Examine into the condition of the House of one Divim at the North Beach Respectfully Report that they visited the neighborhood as directed and after a dilligent search of three Hours in the neighborhood were unable to find in the Dark the House Described. Every House was closed and the night being Dark no sign could be Read and having no one of the committee who vissited the premises in the day time to Point out the Particular House were compelled to Return without Effecting the object for which the committee were appointed.

Respectfully Submitted.

[Signed] John P. Haff

June 16th 1851.

To Chairman of the Vigilance Committee.

[June 16, 1851]

[Addressed:]

To the Chairman of the Committee of Vigilance of San Francisco

[Endorsed:] 5 Approved June 17/51 filed

Report of Finance Committee. June 16, 1851

We the undersigned members of the Finance Committee have to report having found a Room situated on Battery Street between California & Pine Streets of the dimensions of 60 feet by 80 feet for the monthly rent of Four Hundred dollars, and we most strenuously recommend it as being in every respect suitable for the purposes of the Vigilance Committee.

Memo: It is on the second story, has two entrances well lighted and ventilated.

San Francisco, 16 June 1851.

[Signed]	J. W. Salmon	} Members of the Finance Committee.
"	Geo. R. Ward	
"	R. S. Watson	

[Annotated:] 5 Report adopted

[Addressed:]

To the Executive & Nogoociation Committee
Present.

[Endorsed:] 5 Approved June 16/51

TUESDAY, JUNE 17, 1851

MISCELLANEOUS PAPERS

Police Report. June 17, 1851

To the Execuitive Committee

Gentⁿ Agreeable to a summons from Mr Sam Brannan I visited North Beach with John Hennerly [Hennessey]¹ to examine certain locations in that vicinity—

Mr Smith has been pointed out as residing in a small Blue frame on the South side of Stockton St where our informant tells us many of suspicious character congregate, but from all I could

¹ Hennessey's name appears several times, both as a witness and a prisoner, but no important information is connected with it.

[June 17, 1851]

see upon a transient visit, no one would presume such to be the case as some four to five children were in & around the House,

I should however recommend a strict eye being kept upon it—

Hadrington is represented as living in a tent in the hollow North of Stockton St with an image each side of the tent, nothing of suspicion occurred during my survey except the much passing & repassing of suspicious looking persons, I passed close to the front at a slow pace but could hear nothing.—

M^{rs} Bechel resides in the hollow South of Stockton St to reach which you must pass down a ladder between the two large store houses & pass under one of them, this point appears a fit resort for rascals as nothing can be seen except from the water side, & I should strongly recommend a vigilant eye upon the police in that quarter.—

I have been induced to make some observation of the ground in this quarter & find that at low water there is a passage along the beach which must necessarily be well guarded to cut off all retreat should it be found necessary to attempt the capture of a person there

Respectfully

Yours &c

152 [W. C. Graham]

[Endorsed:] 1 June 17/51

C Spring—relative to Hand Bill posted through the City. June 17, 1851

On enquiry at the printing Offices connected with the Press of our City, it was found they had nothing to do with the printing of the inflammatory Hand-bills distributed to day, they also expressed their disapproval of the same.²

I learned the following: yesterday afternoon a person handed the manuscript of those Bills to the printing establishment called the *Sunday despatch* in Clay St opposite the Post Office asking

² The hand bill, which is printed in Baneroff's *Popular Tribunals*, I, 321, called upon the lovers of law, order and the social compact, to meet on the Plaza, on the afternoon of Sunday, June 22, to plan for the overthrow of the "dictators and anarchists who lately disgraced our city by their lawless and criminal proceedings," and was signed "Many Citizens." The disastrous fire of the 22nd effectually frustrated this effort to rouse public sentiment against the Committee of Vigilance.

[June 17, 1851]

that one hundred copies might be struck off, and paid the sum of Fifty Dollars in advance—today from twelve to twenty were handed to him, however before getting any more, the mayor in person prohibited further issue, threatening to lay an injunction upon the press. I have seen the manuscript which will be sent in to the Committee by Mr C Ewer—one of our members—who returns from Sacramento this evening—the original manuscript was signed by W^m French Geo. Stephens

San Francisco 17 June—51

reported by C. S. 45

C. Spring.—

[Annotated:] approved 17

[Endorsed:] 2 June 17/51

Judge Campbell. June 17, 1851

San Francisco June 17, 1851.

To Sam^l Brannan Esq.

Dear Sir In answer to the inquiries made by you in reference to the criminal jurisdiction of the Court of Sessions and other matters connected therewith I beg leave to make the following statement.

Under the new judiciary act & the act amending it this Court will possess, from the first day of July next, exclusive jurisdiction over all cases of felony except murder manslaughter and arson, which three offences will continue triable in the District Court alone.³

By another Act the Court of Sessions is authorized to try and determine indictments found in the District Court & pending therein on the first day of May last—

The jurisdiction of the Court of Sessions is limited to these particular cases until the first of July & a jury has been summoned and will be impaneled to-morrow for the purpose of trying them— I regret to say that it is probable there may be a failure of justice in many of them, as most of the indictments were found as far back as last January & the witnesses in all probability cannot be served with process

³ See *California Statutes*, 1851, Chapters 1 and 2.

[June 17, 1851]

The proper officers are actively engaged in taking all possible measures to secure their attendance—

By an act passed at the last session the criminal law was so amended as to make the crimes of highway robbery and grand larceny punishable with death in the discretion of the jury⁴—This law was signed on the second of April last and went into effect from and after its passage—The crime of arson was not embraced in the amendments, and remains punishable as before by imprisonment for a term not less than one or more than ten years, unless life should be lost by the commission of the crime in which case it is punishable by death—

The regular terms of the Court of Sessions are to be held only once in two months; but the law authorizes the County Judge to call a special term whenever in his opinion the public interests require it, and, as in my opinion it is necessary to punish all crimes as speedily as possible, it is my intention to call special terms of the Court at least once a fortnight. I have called one to be held on the 2^d day of July next, and unless there is something contained in the new jury law (of which I have not yet been able to procure a copy) to prevent the summoning of a grand jury after the opening of the term, one will be impanelled on that or the succeeding day—After the finding of the indictments I cannot see any obstacle in the way of an immediate trial of the accused—So far as the Court is concerned every effort will be made to ensure the utmost despatch consistent with a fair & impartial administration of justice.

Should any other matters suggest themselves to your mind in reference to which I can furnish you with information I shall be at all times ready to do so.

I am yours etc.

[Signed] Alex. Campbell⁵

[Endorsed:] 3 Approved June 17/51 placed on file

⁴ See *California Statutes* 1851, Chapter 96.

⁵ Alexander Campbell, County Judge, and presiding justice of the Court of Sessions. His integrity was never questioned by the Committee, although he strongly opposed their organization, as he did that of '56. He was for many years a prominent member of the San Francisco bar, and a criminal lawyer of great ability. O. T. Shuck, *Bench and Bar in California*, 1889, 123-129.

[June 17, 1851]

Police Report. June 17, 1851

Report of Night Watch No 1

Thos. Scotts premises were examined and well watched untill ½ past one o'clock saw very suspicious looking characters congregated there obtained no positive information recommend this house to be strictly watched⁶

Visited John Smiths house found everything quiet no person to be seen about the premises

White house on Broadway watched until one o'clock, this house was visited during the night by some 60 different characters at different times have no doubt that this house is a crib of the worst kind

House of Lamb & Brady opposite just as bad

Australian Arms closed about ½ past nine parties passed into this house from the rear during the night

Heart in Hand—House above and James Howie's all require farther watching

The house next to the corner of Pacific is a very bad one

Mr Thomas Byrne was one of the visiterers during the night he remained in the house about one hour and half

Byrnes house all quiet

all of which is respectfully submitted to J. L. Van Bokkelen chief

[Signed] by Jno. W. Rider
in command of Night Watch

[Addressed:]

J. L. Van Bokelin Esq

[Endorsed:] 7 Approved June 17/51 filed instructed to continue

Report of Night Watch On Duty Monday Night June 16th 1851

The guard detached to observe in vicinity of Herringtons House on North Beach make such reports, to show that the friends of Herrington & Byrne are concentrating their forces to

⁶Scott was arrested a few days later, examined, and sentenced to be deported to Sydney. His business affairs were settled by the Committee, who placed in his hands a balance of over \$200 (see Scott's receipt, p. 151).

[June 17, 1851]

protect him & watch over his House. When observing last night, the moment the first two arrived in sight of the tent, and saw a light, a pistol was discharged from the rear of the tent, the light extinguished and a body of from 20 to 25 men observed lurking around. It is very evident that the orders of the committee, to *vamos* will not be promptly obeyed. In my rounds yesterday I met Herrington at the House of Tho^s Scott on Montgomery Street, well dressed, and he inquired the meaning of the notice and said that he had placed the notice in hands of persons who would attend to the affair and he would be damned if he would leave & see if they could make him go⁷ Thos Scott has been marked as a bad character, & finding Herrington in conversation at his house tends to confirm the character of Scott as bad,

Would recommend that the Committee consult upon action to be adopted after Wednesday evening at 8 o'clock as Herringtons & Byrne's time expires on thursday morning at 10 o'clock.

Yesterday morning I visited a tent on Clarks Point Hills head of Sansome Street kept by one *John Smith* and Ann Smith from very respectable persons he is reported as bad—and the House & fixtures & man tend to confirm the conclusion that he is one of the gang—

Last night the characters known as sydney men were congregated at their haunts in large numbers with closed doors & very quiet. Your Committee may rely upon it that a concert of action is on hand "amongst the thieves" Action will be required—and each member of the Committee requested to carry his arms well prepared and have them upon his person every day and at all Hours.

The day Police has been joined to the Night Police making in all forty, it is expedient that 20 should serve each night. As many are absent, from duty each night I would suggest the propriety of increasing the force to 60 by addition of 20 more—who should be men of active disposition & willing to do their duty without fail—As many persons have put their names on the Police Roll who fail to report for duty, this subject should be placed before the general committee at meeting this night—

⁷ Hetherington made a vain appeal for protection to the city recorder.

[June 17, 1851]

The accompanying report of Captain of Night watch is submitted.

Tuesday Morning June 17 1851

[Signed] J. L. Van Bokkelen,
Chief of Patrol

[Annotated:] 8 Accepted placed on file Woodworth
add 20

[Endorsed:] 8 Approved June 17/51

[Lease of the Committee Rooms]

This memorandum of agreement made this seventeenth day of June Eighteen hundred & fifty one between Bullitt, Patrick & Dow and H. A. Cheever of the first part and R S Watson George J Oakes, George R Ward. J W Salmon and W H Jones of the second part all of the City of San Francisco California

Witnesseth that the parties of the first part have this day leased to the party of the second part for the term of one month the whole of the second story of the frame house on Battery Street between California & Pine Street situated in the rear of Macondray & Cos brick building being the same house the lower story of which is now occupied by Bullitt, Patrick & Dow and H. A. Cheever and the said party of the second part agree & bind themselves to pay said party of the first part the sum of Four Hundred Dollars rent for the term of one month payable in advance. And the said party of the first part agree to give the party of the second part the privilege of renting the same room for such further term as they may require it not exceeding five months month by month at the same rate namely Four Hundred Dollars for each month in advance and at the expiration of the term of lease the party of the second part bind themselves to return said premises to the first party in good order and condition natural wear & tear and accidents excepted And it is understood between both parties that the second party shall not sublet to any other party without the written consent of the party of the first part^s

^s The first headquarters were in a building on Sansome and Bush Streets, owned by Sam Brannan. The Committee then moved to the rooms described above which were occupied until after the reorganization in September.

[June 17, 1851]

In testimony whereof Witness our hands and seals

[Signed] Bullitt, Patrick & Dow

H. A. Cheever

Witness to signing

B. Hall

[Signed] R. S. Watson

" W^m H. Jones

" Geo. J. Oakes

" J. W. Salmon

" Geo. R. Ward.

WEDNESDAY, JUNE 18, 1851

MISCELLANEOUS PAPERS

Resolutions in the Case of Hetherington & Burns. June 18. 1851

Upon the report of the Chief of Police (Mr. Van Bokkelen) being made on the 14th June giving a description of certain suspicious persons worthy of the consideration of the Committee of Vigilance:—two from his list were selected by the General Committee as being persons dangerous to this community their names were Herrington and W^m Byrnes both keepers of *Cribs*, the resort of felons & burglars: and the Secretary was instructed by a vote of said Committee to send notices to the above named persons ordering to quit the City within five days. Last evening the Executive Committee rec^d from Byrnes a letter setting forth his innocence, offering to prove his respectability & stating the impossibility of moving his family & settling up his affairs in so short a period as that given him by the Committee. At ten o'clock on Friday morning the time given the two men to leave expires, and it now becomes necessary for the Committee to resolve upon the measures to be taken in this case, & that these measures may be such as will meet any emergency.—It is the proposed and very necessary intention of this Committee of Vigilance to act in such a way as to obtain the sanction of this Community for each and every one of the steps it takes, and for none more than the course it shall pursue with respect to the expulsion of two men against whom there are no charges for overt

[June 18, 1851]

acts of annoyance to this Community.—And we have now to choose whether it would be advisable & popular for us to proceed on Friday morning to take forcible possession of the above named persons perhaps to the injury even to the death of themselves or any that might choose to assist them, & that too without any other warrant than our suspicions: or whether we should not appoint a time for receiving such evidence as the men may have to offer, and after that decide what should be done with them.—I would propose to the meeting the following course of action, as one easy of execution, one that would confirm the now popular belief in our justice, and one that would receive the approval of our fellow citizens—and in putting it in the form of a resolution I would move Mr Chairman

That Mr Van Bokelin make use of the best method in his opinion for notifying Byrnes by this evening that in as much as he has appealed to the Committee of Vigilance to be heard in his defence, that, the said Committee will be ready & expecting to hear him at their Committee room on Battery Street between the hours of 11 & 1—on Thursday morning.

That Mr Van B. be authorized to assure Byrnes that he shall go from among said Committee after examination free & unmolested.—

That, The Ex Comtee be notified to be in attendance on Thursday at 11 o'clock (unless contrary notice be given) then & there to hear and decide upon the testimony of Byrnes

That, Should Byrnes prove to the satisfaction of the Comtee his innocence of the charges of associating with & participating in the acts of, the bad characters infesting this City; the order for his expulsion shall be recalled—But if on the contrary he seems worthy of the suspicions entertained against him, the order shall remain in full force.—

And in the latter case

[*That*, An address to our fellow Citizens be prepared for publication in the morning papers setting forth all the proceedings against said Byrnes—and the fact that he had been unable to vindicate himself—and that the Committee would proceed at 10 O'clk on the morning of Friday next, to expel him from among this community; calling upon all good Citizens for their

[June 18, 1851]

cooperation in case of an organized resistance on the part of the confederates of said Byrnes,

That Mr Van Bokelin shall also notify Herrington that the same privilege of a hearing will be granted him on the above named Thursday¹]

Statement of Thomas Burns

To the Secretary of the Committee of Vigilance

Sir I arrived with my wife and 3 children in San Francisco on the 6th of May 1850 and lived in the neighborhood of Battery St Clarks Point and leased a house Belonging to Mr Hood and Wilson they have known me from my arrival hear, On the Marrage of my Daughter I left the House and took a nother on Clarks Warf Belonging To Mr Brooks Tinman and Remained there untill I was Burnt out in May Last when I was forced to take shelter with a Friend a Shipwright By the Name of Connolly [who] took the house Uncle Sam in Dupont st on the 1st of May Last and Died in five Days after I Believe Jenkins was the proprietor For some Months Before Mrs Connolly sent For Me on the Morning of the 6th of May and said her husband was Dead and Requested me to come up I Did so she told me the Doctor had been here I Did not Feel Satisfied² I went for another Doctor Myself he told me Connolly Died of Applexy I then went For the Coronor to investigate into the Case he Did so Mrs Connolly Requested me to stop For a month I Did so having no home of my own for My Family not knowing the Carracture of the House, I Cleared out as soon as I got a house I told all of them to quit I Believe Jenkins stoped 2 nights in my house in Broadway But I having no knolege of him Being there the Rest of these men I First saw in the Uncle Sam they were living in the House when I went to it, might not any Man got into the same Scrape as I have I must not Ask Every Person that comes to the House who the[y] are

¹ The paragraphs enclosed in brackets are crossed out. Neither the *S. F. Herald* nor the *Alta California* published any official statement on these cases.

² See also note 4, p. 53.

[June 18, 1851]

During my residence In this City I never was Brought Before the Authorities untill a few Days since For my Door not Being shut at 12 O'clock³ the Next Day fined for Assault and Battery upon one of the Witnesses. I never Did it But was ther, But give a Dog a Bad name and hang him it would not have taken Place But we Both were in an unnatural State of Excitement

Gentlemen I have Left an oppressed Country to Seek Shelter for My Family on the Shores of America and to be forced away Like a Dog without knowing what Reason I think its very Hard

I want no Favour From Any Man only a Fair Hearing and if Gentlemen you Bring any Charge to my Honesty you are at Liberty to Punish me as you Like In Conclusion I Beg of you if you are not Satisfied with above Statement and those Partys Whom I Can Produce Before you that you will Extend the Period for My Leaving this City I have Paid \$600 for Rent in Advance and \$400 For Fixtures untill I can sell my Lease I and My Family are Destitute of a home

Gentlemen I can produce to your satisfaction the Maner I get my Living if you will take Trouble to see My Bills and Receipts From Many Merchants in this City

with all Due

Respect I am sir

your Very Obt Servt

[Signed] Thos Burns

[Endorsed:] 2-17th Referred to Van Bokkelin

Report of Chief of Police. June 18th 1851

The night watch on duty Tuesday 17th June report nothing new, or important, a larger number of rough characters were in vicinity of Broadway & Clarks Point than previous night. but disappeared by 12 O'clock

³ A city ordinance required the closing of all bar rooms at midnight, but, with the connivance of the police and courts, saloon keepers had evaded its-intention by closing at twelve o'clock, and reopening within a short time. The *S. F. Herald*, June 11, protested against this subterfuge, and announced that in future the recorder intended to enforce the spirit of the law, and later issues reported that the proprietors of the Bella Union, El Dorado, and several other notorious saloons, had been fined from \$10 to \$50 each.

[June 18, 1851]

Mr. Byrnes was not seen in his house all quiet, but was seen in a house on Ohio street where he remained 11½ hours. Also in Dupont Street bought house considered bad, not seen this day House remains as last week

Herrington no alteration observed on his premises was not seen last night— this day at 5 O'clock meet him in Kearny Street no news from him

In day rounds discover a great falling off in the Patrons of Houses on Pacific Street.

Respect Submitted

[Signed] J. L. Van Bokkelen

Chief of Police

To Ex^t Com^tWednesday June 18th 1851

[Endorsed:] 3 June 18/51

*John Wright. June 13. 1851*San Francisco 13th [?] June 1851

Honord Sir

Noing how this city his infested with a certain class of people I have made it my business to look out for such people has I no standing at my door yesterday evening about eight Oelock saw a man coming who I had seen under suspicious circumstances a few minutes before⁴ he was coming in the direction where I stood I saw no person near who I could call upon I was determined therefore to secure him myself if possible I asked him who he was or where he was agoing and the reply I got was a nock down I jumped up in a moment and pursued him but he was just in the act of getting over a paling fence at the time I saw his hat fall off he picked his hat up but had not time to pick the contents as I got over one fence he was just getting over the other fence it was very High and he got hooked agoing over it and has the fence was very high I had no chance of getting over till he was out of sight I found this morning a beatiful Gold watch and chain where he had got over

⁴ This was a man called Morgan, or Old Jack, who was escaping with stolen jewelry (see Wittaker's Confession, page 476). This letter was not printed in the *Alta*, but handed to the Committee for investigation.

[June 18, 1851]

the fence he left that behind besides the contents of the hat which all will be brought before the proper authorities in due time. I no the parties they are three in number I shall produce them with the other property in a few days I hope has I have a strict eye on them

I remain Your Most Umble Servant

a friend to society

[Signed] John Wright

Upper end of Washington Street

[Annotated:] Referred to Ex Committee 19/51

[Addressed:]

To the Editor of the *Alta California*

[Endorsed:] June 18/51

John Hennessey's Statement

Statement of John Hennessy Connected with the Comisary department Launcerton Van Diemens Land for 8 or 9 years—previous 12 years in the army and Shows his certificates to the same as being Vigilant Sober and honest, Lives on North Beach—keeps a boarding house and follows the boat bisness

States that Mrs White is one of the worst of Convicts—and lives on the north beach— does not know positive that her husband is a convic— but knows him to be a bad man— Has good reasons to believe that Hedrington is a Convic and his house on north beach was resort of Jenkins— and and three or four others who left the morning after Jenkins was hung on the bark *Jane Francis* for Sidney— has known Jenkins for eight years as a convic in Sidney— and to be a desperate man— Has been robbed of five hundred dollars by convics about three months ago— Stephen Britz is a notorious Convict and was cook for Burns when he kept on Dupont street and thinks he is about Burnses house Robbert Blithe has been in the police for some time, and thinks he knows every notorious crib in the City— and lives with me in my house

A house of one of the Police has been pointed out to me as being redesvous of thieves it is opposite the New England house

[June 18, 1851]

He thinks that Hedrington has communication with a party at San Pablo on the other side of the bay where stolen goods is taken

[Annotated:] accepted—ordered on file

2/18

[Endorsed] Filed

THURSDAY, JUNE 19, 1851

MISCELLANEOUS PAPERS

*Dr H S Gates. Relating to cases of Thomas Burns. Banished
June 18. 1851*

San Francisco June 19 1851

Exe^c Com^t

Gentlemen, I have just bin informed by Doct. Colyer (the Moddle artist man) that while he was a member of the Grand Jury for San Francisco, information came before the jury that there was a place called the (he thinks) Port Philep House, near the foot of Jackson St. used as a repository of stolen goods, and kept by a Sidney man by the name of Burns¹—(And further that the information implicated some of the then members of the city Police— He at the time wished to investigate the matter but a majority opposed

[Signed] Doct. H. S. Gates

Doct Colyer can be found at the mansion house

[*Letter from Fordham and Hunting. Case of Burns*]

Gentleman of "the Vigilant Committee"

By the request of Tho^s. Burns we will state, that for two months previous to the fire of May 4th. he was living in the house next door to us, and during that time we never had cause to complain of noise or disorderly conduct. About the characters of

¹ This was an error, Burns had kept the Shipmans' Arms, formerly the Uncle Sam, and the Port Philip House was kept by Sam Whittaker and Teddy McCormac, accomplices of James Stuart (see p. 465).

[June 19, 1851]

his boarders we knew nothing, and they never gave us cause either to enquire about or suspect their characters.

Yours &c

[Signed] Fordham & Huntting
Proprietors Broadway Restaurant

San Francisco June 19th, 51.

[Annotated:] file—of the evidence

[Addressed:]

"Committee of Vigilance"

San Francisco

Testimony in the Cases of Burns & Heatherington.

Mr. Brinley appointed Sec-protem.

Mr. Hood's testimony— About 12 months ago rented Mr. Burns a house in Vallejo St had it for about 9 mo^s—He then left and put his brother in law in—during the time of Mr. Burns residence knew nothing of him but as being an orderly citizen--left some 4 months ago.—Never was in the house at night—has seen some company in the house always paid his rent regularly—

D. S. Turner Secy

Richard O'Neal— resid Cor Vallejo & Battery Sts—since last July—near Market knew B since last July B. kept bar & boarders—no name to house—saw nothing but sailors.—saw nothing improper—lived within a few steps of the house night & day—always orderly—B resides Cor Battery & Bway keeps sailor boarding house—B lived above me six months—was disturbance one night at his present residence—nothing at his former residence the house that B occupies at present is a new house—put up since the fire Has always lain down with a pistol Supposes that B— boarders were sailors who came staid a week or so when they left—the second house he occupied was called Boatman's arms, or something of that sort Can not state positively that he ever saw suspicious characters about Burn's house.

X ex by B— [Cross Examined by Burns] While he lived over my house was continually on the premises—thought B a good

[June 19, 1851]

business man— Know of a row with Levius—passes by Levius—who called me into his house & said he had got into a mess— I told him served him right for getting drunk he wished me to settle the affair between him & B— He requested me to see B & see if they could be friends again— I saw B— they came to my place—said they were sorry for what had happened I said they had better shake hands & be friends— Mr Levius said he was sorry—and did not know that his watch had been taken in his house—might have been taken in the street—have never seen suspicious characters about Burn's house—witness keeps his market open until 9 o'clock—witness lived 4 houses from Burns—leases a house from Mr. Hood—My father is an Irishman I am an american citizen—dug the cellar for Mr Brannan's house buys my Beef from McKinley—Van Housten Woods & others—knows that butchers buy from Boats on the beach—there is a market below me [kept by²] Byron—the police officer knows about him.

[Signed] Richd O Neil

Voted to swear witness

Hudson de La Montagnie (*Sworn by Payran*)— Have known B— over two months W[itness] lives at clarks point. B hired a house of me—know him only by sight previous—knows he kept drinking & boarding house was never in it at night. knows nothing of him either good or bad—knows no person who visits his house—house was[. . .] Arms

X X B—[*Cross Examined by Burns*] thinks it was Watermans Arms did not see any thing wrong about the house nor ever heard any one say any thing against good character of house have not known anything of B being brought up by Recorder—keeps tin & stove store on clark's point—B. has traded with me before he hired of me do not know of suspicious characters in my vicinity— B has never offered me any good[s] on sale—am citizen of U. S. bad memory.

[Signed] H. de La Montanya

Charles Scott—(*sworn by Payran*) have known Burns a year—he was then a Boatman—I then went to Mission[?] & when

² The words in brackets have been crossed out.

[June 19, 1851]

returned found B keeping a boarding house—& went with [him] for near six or eight weeks—was lightering for C F Jones[?] & Co. during that time knew nothing out of the way—kept boarding house & bar—never saw suspicious characters about the house—boarders principally sailors—was not acquainted with his house for a few months past—until he came to clark's point—am from Mobile—do not know any thing against the present good character of his house—have been at his present house—cannot say that B— is generally at home in the evening—but think he is—have generally looked in when I passed— W[itness] now boards at "our house"—does not know Russel³—does not know Hetherington—never kept a house here—

[Signed] Charles Scott

John Harris—(*sworn by Payran*) Came from "Austria"—know B— 13 months—B lived at clark's point—in a tent—moved to a house near—first was a boatman—then kept boarders—kept a decent house—such as any good man would keep—woman & two children—never heard any noise or quarrelling—never saw bad characters—in the house—I know B as an honest a man as any one in S Francisco—knew him in four different places—always found him good man—never heard of row—W[itness] keeps boarding house & bar—am two years in S. F.—keeps Ship Inn—was naturalized in N. York—kept a boarding house at Macao

X X B—[*Cross Examined by Burns.*]
—knows Levius—heard that he lost a watch in B's house—heard also that Levius house had been robbed—always thought B and Levius were on good terms—can lodge 12 or 15 men—do not know any bad characters in my neighborhood

his

John X Harris

mark

Burns statement Arrived here in May last year on Brig

³ Russell, "the Tinman," and Russell, alias "Moey the Jew" are mentioned in various statements and reports. Thomas Ainsworth used the name as an alias, but says he was not Russel the tinker.

[June 19, 1851]

Maguasha—from Hobart Town—was seaman on the *Antioch* [?] & pd passage for wife & 3 children—on arrival bought a large tent & occupied it some two months—then took a larger one—as we were ordered from street—was boatman on C wharf—for 4 or 5 months—then took house of Hood 6 or 7 months—bar & boarding house My daughter got married I gave [up] the house & went to Clarks point—then was burnt out on the 6th May—Connolly took the Uncle Sam Dupont St—went to Connolly—who died in the night—had not been sick at all—saw him at 12 O'e the day previous—was well—both me & my wife went up—Mrs Connolly went to C in bed at 3 & at 7 P M—when he said he preferred to sleep—at 12 at night she went to him & found him dead—my wife thought he did not die a natural death⁴ knows nothing of his drinking previous—and so said at the time—Mrs. C said that Doct Zilie⁵ had been there & said that C died of Appoplexy—I did not feel satisfied & went & brought Doct Brunce[?]⁶—he came & examined the body & said he died of appoplexy—C—friends felt dissatisfied & I went to the Coroner who investigated—got Doct Z certificate—Mrs C asked me as I had been burned out to stop with her for the month—Mrs C took the house on the first of first of May from Jenkins—who had kept it for some time previous—Jenkins & Hughes alias Swan & others were occupants of the house at the time of the death of Connolly—police officer came & took Hughes⁶ Jenkins was then in bed—did not know Jenkins before—did not know the names of others—Adams was taken from this house—when Connolly went to the house he altered the name to Shipman's Arms—when I found the character of the house I decided to get out of it & get into my old neighborhood—I got to my present house about the 6th of June—was never before the recorder before—until this affair of Levius—at my present house had a good call at

⁴ There was a prejudice against Mrs. Connolly because she had been intimate with Jenkins. These insinuations, and the fact that she soon remarried, led to her arrest by the Committee, on suspicion of murdering her husband. She was, however, completely exonerated, and discharged, but her second husband, Martin Sanphy, a dangerous character, was ordered to leave the state.

⁵ Dr. Frederick J. Zeile was a pioneer San Francisco physician.

⁶ Hughes is frequently mentioned as a confederate of more notorious thieves.

[June 19, 1851]

first—was completely full with boatmen & sailors previous to leaving the Uncle Sam I gave Jenkins & his companion order to quit—Sunday night after I went into—Mr Levius & companion came in at 11 O'clock—as I came out of parlor with tumblers—Levius says what will you do I says nothing as I am rather busy Some one think it was Jenkins said we drink nothing here but champaign—there was none in the house Levius friend turned round & said a bit of lead would do you more good—a row took place when I went in the parlor—they rushed into the street—the police man took Levius's friend to police office—when I went to bed—I looked to see who was in the room—I found Jenkins in bed—I said to him I thought I ordered you to find fresh lodgings—he said so late I could not go—I then left him—Next Wilson knocked at my door after 12 at night the Constable then came & said he would arrest me because my house was open after 12 O'clock—next morning Constable came to find witness—did not know Jenkins' character—nor Swan's character—one Wilson who was at the Uncle Sam now comes to my house—Wilson is now boatman on Clark Point—think Levius a very good sort of man—employed Mr O'Connor and Mr. Parbut as lawyers—never saw Adams until he was taken out of the house by police officer—does not know one convict by name in San Francisco—never had any convict in my employ in San Francisco My cook for 9 months—James Kingsford, my other cook Britz—do not know that he was a convict—know that Britz went from Hobart Town to Launceston—and that he was no convict—it is 18 years since I was in Launceston—was acquainted with Britz seven years in Hobart Town—he is now carpenter on board a ship in the harbor—Britz left Burns at Hobart Town & went to Launceston—always supposed Britz to be a sailor—discharged—was mate of a ship when he first knew him 20 years ago—then known as an honest man—became acquainted with Britz immediately after my arrival in Hobart Town have known him as employed by the government for some time—understands that Jenkins was a vile character where he came from and that his character since he has been here is of the worst kind—have not heard that any have left on the *Jane Francis*—since Jenkins was hung—was never sent to the Colonies as a Convict—went

[June 19, 1851]

there as a sailor boy—and run away there—do not know any suspicious characters among the police—only know Montgomery & Strong—Jenkins was not a boarder in my house at the time he was hung—slept in my present house only twice—would have felt disposed to give notice of any bad characters to the Committee—had it existed—Now keeps the McManus Welcome—have seen Mrs Yates—she is much among the bad characters—do not know any receivers of stolen goods—but believes there are such—none have had occasion to give reports of me—I have never given any one an occasion to do so—Jenkins always went to bed before I did—while at the Uncle Sam—Mrs Connolly is from Launceston—McKenzie⁷ & T—also—have been in my house every night since I have had notice—to leave—for five days past I have not been ten yards from my house

[Signed] Thos Burns

W^m Levius *sworn* knows Burns' house lost his watch—there—there are bad characters there—do not know the names—during the row one fellow grabbed the watch and took it—11 or 12 at night a good many were there—bad characters have been at Burns house—do not know of any—the man's name was William who was arrested at Burn's house—

X X Burns—[*Cross Examined by Burns.*—Was always on good terms with me—am an Irishman—was tight when I went to Burn's house—called for liquor—& because I would not give champaign—they kicked up a row—keep the Columbia Restaurant—believes that Burns came with two men to my house when I was struck—was in Burn's house some times—knows Burn's cook—says he is a bad character—perjured himself—do not know any convicts—know King a convict—6 ft. high—stout made—Was not robbed of my watch by any wish of Burns—did not say any thing about his watch at the time he lost it—

[Signed] W. Lavers

Mr. Van Brokelen Calls upon Mr. Reynolds respecting notice served upon Mrs Connolly. Make report—Viz—

⁷ Robert McKenzie (see Confession of James Stuart, note 27, p. 232).

[June 19, 1851]

Found "Uncle Sam" House, inquired for Mrs. Connolly, found the house in possession of Mr. Gorham—did not know Mrs. Connolly—saw a female in the back room—remarked that *she* might know her—asked the question and rec^d an affirmative reply—had lived in the house, but had recently left.—recently lost her husband suddenly, in the mines. Had gone to live with Jim Burns on Clark Point—the man & wife now occupying the house had been there but a short time.

[Signed] Benj Reynolds

Mr^s Jane Conolly— When I first took the house did not know its character When Myself & husband bot out Jenkins—learned afterwards 'twas a bad house was in it five days when my husband died—On the 6th sent for Mr Burns to stop with me for a month—Think my husband died of apoplexy.—Requested Mr Burns to buy me out—Intended to return to Launceston in the Colonies—Did not know Mr Jenkins in Van Diemens Land—Mr Burns & my husband were at school together in Liverpool—Wednesday after the fire gave up the house.—Did not know bad characters in the house. Mr Burns had entire charge never heard him speak of bad characters.—Dr. Zely said he died of apoplexy at about 8 or 10 in the evening.—Burns came in morning—Jenkins staid in the house knew him but no others.—Mr. Jenkins, I never knew anything of him—never saw Burns with him Believes him honest—Mr Burns did not stop in Uncle Sam because it had a bad name.—Never saw the present occupant before he bot out Burns.—Never heard of Adams—went to bed early.—never saw much of the men—My husband was a shipwright by trade, an honest man, small eater, never drank. Never drank before he came to S. Francisco. He had drank before lying down was not intoxicated, took one glass of ale—drew it himself—Does not know any of Jenkins' associates, or that they had left the town—Never saw Burns talking with Jenkins &c privately.—I went to Van Diemens Land in 1842—with the intention of going to California.—Don't know Mr^s Yates—Was for sometime in Launceston several years—Left Ireland with the intention of coming to Valparaiso heard of the mines before I left home married in Launceston—in 1845.

[June 19, 1851]

—Was not out last night.—Mr Conolly went to Van Diemas Land as ship Carpenter.—was there 3 years before I was married. My husband came as Carpenter in *Swan*. He went back for me & we returned together in the *Rory O'More*—myself & husband, Mr. Hewes & Swansey were all the passengers. Have heard my husband speak of many bad people from Colonies, never of Mr. Jenkins.—Gave Jenkins \$150—for good will, \$70 rent—My husband was in Colonies 3 or 4 years before I arrived there—Know no females from Sydney &c. I am sure I left Ireland in 1842. was more than 3 years in Van Diemans Land. Aaron Aliot is my brother he went to Port Phillip.—is not here, I have no relatives here. I am positive I came from Ireland on ac[ount] of hearing of the gold mines. Mr. Burns is my protector know that he was in the house all the past fortnight—I was out of the house Tuesday last in the morning between 9 & 10 o'clock, at Mr. Upton, grocer in Stockton St.—went to Mr. Burns two or three weeks ago.—Do not feel intimidated in giving my testimony. I have said nothing through fear.—Mr. Burns has no particular friends. Never have seen any of his friends. have been here since March. Heard after taking house that Mr. Jenkins came from Van Diemans Land. Hennesey also—a hard working man. Knew him in Van Diemans Land he was messenger for the Commisary. Burns is from Hobart Town.—Burns was at school with my husband in Liverpool. Knew Burns had received notice to quit the country.—My uncles name is Crawford in Valparaiso Keeps grocery in Mueskellan.

her

Jane X Conolly
mark

Van Bokkelin (In Committee of the Whole) Burns states he has not been out of his house—he was seen on Montgomery near Pine—on Monday night by one member—another member found him in a house on Ohio St—last night was seen in the Valley—Mr. Ryder states he saw him in Battery st—last night—coming from Sydney Valley—& on Monday night at a house on Montgomery—near Pacific St—

Haughton[?] says—met Burns at the Corner of Montgomery

[June 19, 1851]

& Pine St light thrown full in his face—had his Panama hat on—have seen him in his house Cap Kemp knows Levius—and he told me Burns was a very bad man—Levius promised if I would call on him at any time he would point out—any convict whose residence might be known to him—

Oakely—295—knew Burns ten months ago—he was boatman—ten months after opened boarding house—bought liquor of me—two men left his house because thieves were in Burns house the two men were Frank & Finnegan

Report of Ex Committee—as regards Burns—presented & accepted.

Report as regards Hetherington—presented and accepted—

Committee appointed by the Chair to arrange measures for procuring the absence of Hetherington at 10 O'clock to morrow morning—F A Woodworth E M Earle R S Watson Van Bokkelen appointed said Committee—

On motion—

ordered that the patrol be increased to 100 men—

On motion—

Ordered that secrecy be enjoined upon all members—relative to proceedings adopted this evening

On motion—

Ordered that all members be enjoined to attend at the room to morrow morning at 10 o'clock

Col Huie—states that the handbill published calling a meeting of citizens opposed to Vig Committee—was produced—by Judge McHenry^s & D. C. Broderick

W. H. Parker says—that Judge Mc Henry threatened him with personal violence if he did not give to him the name of a party who charged Judge Mc Henry with writing the article—

On motion

adjourned to 10 o'clock 20th inst.

^s Jesse McHenry, and John McHenry were lawyers, at 118 Montgomery Street (*Parker's Directory*, 1852). The *Cal. Courier*, June 19, said that the handbill was the joint work of a "State senator and an attorney at law, formerly a judge in the States," but in the next issue, the same paper stated that more thorough investigation had shown that the men designated had not been connected with the matter.

[June 19, 1851]

June 19

The Executive beg leave to report to the Vigilance Committee here assembled that they have spent the entire day since 10 O'clock A. M. in hearing the Vindication of Burns, & as they do not consider the justification of him to be satisfactory, & as they have not had time to examine all the evidence with regard to him & expecting still further evidence, they recommend that he be allowed to remain at present, and that his case be continued before the Committee for 5 days longer 19/51

[Annotated:] Report accepted

And that they further recommend that inasmuch as Hetherington has not asked any consideration of his case & as there is nothing adduced to alter our views that the order for expelling him be carried into effect to-morrow morning at 10 O'clock—

[Annotated:] Report accepted 19/51

[Recommendations in the Case of Hetherington]

First: To guard him properly during the night by appointing a strong patrol, with proper reliefs, whose duty it shall be to ascertain the culprit's whereabouts and to remain near him until 10 o'clock to-morrow morning when they shall report to this Committee by a messenger where the man is to be found.

Secondly: That the prisoner be brought to the head quarters of this Committee in irons and there remain under guard until arrangements can be made for a passage for him to the British Colonies.

Your committee propose that the entire Vigilance Committee meet in this room at ten o'clock to-morrow morning for the purpose of receiving the report from the patrol appointed to watch the prisoner, and if such report should state that he has refused to obey the order issued by this Committee, by refusing to leave San Francisco, then the Committee shall proceed in small detachments, to avoid suspicion, to the place indicated by the messenger, and when there assembled, proceed to carry out the measure embraced in the second proposition.⁹

⁹ According to the *S. F. Herald*, June 21, this plan was successfully carried out.

[June 19, 1851]

[Signed] Fredk A. Woodworth
 " E. M. Earl
 " James B. Huie
 " J. L. Van Bokkelen.

[Annotated:] The Com: Report adopted

Order of Finance Commtee. June 19th 1851

The Sergeant at Arms will pay the fees he has Collected over to the Treasurer & Report all deficiencies—

[Signed] W^m H Jones }
 " Geo. R. Ward } Finance Committee

June 19, 1851

Communication from George Gibson. Case of Hall & Spiers for Poisoning an Indian. June 19, 1851

San Francisco June 19, 1851

Mess^{rs} Brannan, Ward, &c &c of the Vigilance Committee

Gentlemen A publication in the *Alta* of this day relating to the examination of the body of Frank Brewer by Dr. Mathew P. Burns testifying to the discovery of Poison (Arsenic & Morphine) by proper chemical tests, for administering which two men Hall & Spiers were arrested and are now awaiting trial, has just met my attention. I am a member of the Committee and of course anxious, that full justice should be done. It is said that a principal witness against these two men, left here in the last steamer, so that a conviction can hardly be obtained before the court. If these men are suffered to go free upon such defect of evidence, tho other circumstances would point strongly to their guilt. Would the Committee of Vigilance take cognizance of such accidental escape. If so then it is probable that I should be called upon with the rest of us to reexamine the evidence, judge these men, and if proven find them guilty and carry into effect the decision whatever the sentence may be.

It is in view of the possibility of such a necessity, not shrinking from any responsibility that I would respectfully offer a few remarks. It is well known in medical jurisprudence that there are many great difficulties in cases of poisoning which should

[June 19, 1851]

render us much more than ordinarily circumspect, it has been said by celebrated writers upon this very subject that the reduction of the substance supposed to be in combination of Arsenic and the actual production of metallic arsenic therefrom is the only result to be effectually relied on. I do not see that this has been the case and medical men know that many purely foreign causes would produce appearances of the stomach and intestines similar to those described. I am not personally acquainted with Dr. Burns ability to test this matter he may be or may be not fully competent, the testimony would have been much more satisfactory then had it been supported by coadjutors who are as well perhaps better known than Dr. Burns. Say Drs Hastings, Bowie, Chapin, Buchner &c. If this subject is taken into consideration now in view of the possibility of action being requisite, if evidence thus corroborative is procured by applying to these or other respectable medical men, we shall be able to answer to our consciences in future much more confidently, if the examination essentially a cool and scientific one has been entered into with perfect calmness than when at the last moment with blood heated, and surrounded by an excited assemblage, dispassionate judgement will be impossible.¹⁰

It may be that all of these remarks are premature. that you will let the law have its course and abide by the decision of the court, this then only is my apology for troubling you, I feel the awful character of our responsibility too seriously, to fail in any effort which may further a correct judgement.

I remain Gentlemen

Yours Very Respectfully.

A Member—

[Annotated:] From George Gibson No. 284 file

[Addressed:]

To the Executive Committee of the Committee of Vigilance

[Endorsed:] 2 June 18/51

¹⁰ Dr. Burns' report was published in the *Alta California*, June 19. His conclusions, questioned at the time of Hall's trial, were sustained by other physicians who repeated the examination.

[June 19, 1851]

[Letter from S. W. to J. Taylor, Marysville]

San Francisco June 19th 1851

Old Fellow

Look out the *Hawks* are abroad and after you, both here and down below, you had better keep in the upper County at present, I can say no more at present

Yours

[Signed] S. W.

[Addressed:]

In Care of S Stewart

J. Taylor

Marysville

Yuba County California

Fremans Express

FRIDAY, JUNE 20, 1851

MISCELLANEOUS PAPERS

[Draft of Resolutions]

Resolved That the Exectv. Committee every morning from nine to Ten o'clock every morning, and no member be compelled to remain after ten o'clock

[Annotated:] passed.

On motion

Resolved That Russel alias "Moe the Jew" Thomas Scott Mr White John Burger alias "Spring Heeled jack" Ben Sellers, be arrested immediately
San Francisco June 20. 1851

[Report of Suspicious Characters¹]

✓ Russel alias "Moey the Jew" Aged 40—5ft 7-8 Hair

¹ This paper, and those immediately following, are printed in full, to illustrate the Committee's method of investigation. The first, evidently furnished by Dr. R. R. Nuttall, was checked and annotated to show what information had been obtained, and the supplementary report of Salmon was intended to place before the Committee the names requiring more thorough investigation. Of these, Thomas Scott is the only one that has any further importance.

[June 20, 1851]

black, swarthy, dark beard, eyes dark brown, mouth broad—upper lip straight, scar on the right side of the chin, nose straight—eyes sunken—not like a Jew—very smooth and plausible in his address, when he gives his eyes a peculiar expression—(married—one boy two years old) round shouldered but strongly built, chin round.

× Charles Becket, Aged 40, 5ft 5 in nose rather hooked—hair dark—Some front teeth gone—mouth down at the corners—little or no whiskers—chin pointed with a marked dimple in the centre—stoops—thin small face, sallow—eyes dark [Annotated:] Shot in San Francisco for stealing.

× John Burgess alias “Spring heel’d Jack”. Aged 33, 5 ft -11 or 6 ft. narrow strong build—very wide mouth with irregular black teeth—high cheek bones—long and large feet—small pig eyes—sunken, snub nose with bridge depressed—long upper lip, sandy whiskers—fresh colour. Single man—one front, upper tooth, right side, gone. [Annotated:] Left,—I believe—Lived here under the name of [. . .]

✓ Ben Sellers, Aged 41 5ft 11 or 6 ft, high cheekbones, freckled, pitted by Small Pox, sunken eyes—gray-brown hair, no whiskers, strong, square build active man—mouth very wide. Married no children.

✓ John Malcolm, Aged 20 5ft 7in Small “pig eyes” gray, high cheek bones—no whiskers—strong—hair light—complexion fair—acted as joiner on board the “*Orator*”

× Porter At. [aged] 44 crooked eyes—brown —straight hair—rounded shoulders, 5ft 5in—a sweep—long toes—sallow complexion—left for Sydney Married 2 children—

✓ Thomas Scott, aged 40—a tailor—5 ft 4 in dark eyes—marked eye-brows—curly hair— strong—strait mouth

✓ Fitzpatrick (Irish) Aged 44 5 ft 6—pale. well made—dark hair high cheek bones—small grey eyes—determined look—stands with his hands on his hips & has a habit of twisting his mouth after he speaks—broad across the jaws.

[Annotated in handwriting of Samuel Brannan:] Dr. Nutall, pardner of Dr. McIntosh

[June 20, 1851]

*J. W. Salmon Report in relation to Russell Ben Sellers John
Malcolm Thomas Scott Fitzpatrick*

No. 1 Russell alias "Moe the Jew" Aged 40 years, height 5ft 7-8, black hair, swarthy complexion, dark beard, eyes dark brown, mouth broad,—upper lip straight, scar on the right side of the chin, nose straight, eyes sunken,—not like a Jew,—very smooth and plausible in his address, he gives his eyes a peculiar expression,—Married, one boy two years old, round shoulders, but strongly built, chin round.—Can be found in a house on Sansome st: near Pacific

[Signed] J. W. Salmon

No 2 Ben Sellers,—Aged 41 5ft 11 in: or 6ft in height, high cheek bones, freckled, pitted by small pox, sunken eyes, colour gray, brown hair, no whiskers, strong and square built, active man, mouth very wide, married no children.—

No. 3 John Malcolm Aged 20 5ft 7in: small pig eyes color gray, high cheek bones, no whiskers, strong, hair light, complexion, fair, acted as joiner on board the *Orator*.—

No 4 Thomas Scott, aged 40, a tailor, 5ft 4 in: dark eyes, marked eyebrows, curly hair, beard, strong, straight mouth, on Montgomery above Pacific Sts.

[Signed] J. W. Salmon.

No. 5 Fitzpatrick (Irish) Aged 44, 5ft 6 in:; pale, well made, dark hair, high cheek bones, small gray eyes, determined look, stands with his hands on his hips and has a habit of twisting his mouth after he speaks, broad across the jaws.—

Memo: in Scotts house there are two men who make it their headquarters by name John Gorman and ——— Malcolm

The above is copied by the undersigned from the original tendered by a friend to the association or Committee through

J. W. Salmon

Statement in relation to The Jew Scott White

Russel alias "Moe the Jew" can be found in a house on Sansom near Pacific

Thomas Scott Tailor—on Montgomery at his house there

[June 20, 1851]

are two men who make it their head quarters by name John Gorman and Malcolm

Mrs White on north Beach is a convict

Report of Police in the Case of Mr Burns

San Francisco, June 20, 1851

The Chief of Police would respectfully report"

That the Notice of extention of time granted to Byrnes for 5 days was served on him this morning—at his residence to which I took the Liberty to attach as "follows "This notice expires on Wednesday morning 25th June at 10 Oclock"

The note was delivered to him personally.

As regards General locations & marked individuals everything is progressing finely, with a prospect of work ahead"

I would urge the propriety of Mr Etherington departing on his sea Voyage at an early a period as possible.

The special Committee despatched to secure such effects as might be found in Etheringtons tent have convey to Head Quarters The Articles found. except such heavy articles as were placed in Glen & Co Ware House for which a receipt was taken "which together with Inventory" of goods in Room" subject to your instruction

[Signed] Resp^t J. L. Van Bokkelen

Chief of Police

Friday June 20th 1851

[Endorsed:] Accepted & placed on file

Receipt of Sundries deposited in James King of W^m hands a/c of Hetherington

Received San Francisco 20 June 1851 from the Treasurer (Mr J. W. Salmon) of the Vigilance Committee a bag containing sundries a silver watch—sealed with his seal.

James King² of W^m

per W^m Hammond

² James, son of one William King, adopted the sobriquet of James King of William, in distinction from others of the same name. He was a member of the Committee, and, at this time, a banker in San Francisco, but failed in 1854, and, a year later, established the *Bulletin*. His course

[June 20, 1851]

Mr Hetheringtons Statement. San Francisco, June 20, 1851

Born 1812 in Richmond Va 18th of July—Came to this country from Sydney in the ship or Bark *Orator* Capt Tate

Dr Nuttall was the physician—Capt. T & Dr. N. will vouch for prisoner.

Mr. Creswell came in ship with him and now lives in a cottage on the r^t hand side going down to prisoners house

Mrs. Wilson kept the "Heart & Hand" in Dupont St north of Pacific St. Now lives opposite to that locality—

Mr Scott also came with him. understands him to be a married man but did not bring his wife—Scott is a Tailor

Mr. S— was supposed to have committed a robbery on board the ship—

Mr W^m Byatt came also in same ship. Is the person who was in the house when prisoner was arrested—

Made his money by selling liquor and trading with a man named Jno Dixon at Don Castros Boatman who takes passengers aboard *Jane Frances* is an aged man near sighted and has a red bowed boat. never heard a word of any one departing from N Beach by that vessel knows no one that ever left from there. Dont know anyone that left—knows Mrs Becket & a man who lives with her knows Mrs Collard—Prisoners wife left him three weeks or about after their arrival here. Married in Preston England. Born in Richmond Va. and served an apprenticeship in Liverpool—

Never wrote to any one claiming protection as a Virginian. Left Richmond Va when six years of age. Is a ship Carpenter by profession—left Liverpool in 1842 and was about 30 years of age. left Richmond in 1818—

Testimony of Wm Byatt. Case of Hetherington

William Byatt— From London in Bark *Agenora* to Port Adelaid and from Port A to Sidney from Sidney to San Fran-

as editor of that paper resulted in a quarrel with James P. Casey, who shot King, on the street, May 14, 1856. This cold-blooded murder furnished the occasion for the revival of the old Vigilance organization, under the form of the Committee of Vigilance of 1856. Full accounts of King's tragic death can be found in all books relating to the period, especially in Bancroft's *Popular Tribunals*, II.

[June 20, 1851]

cisco in Bark *Orator*—has been here about 14 months, has been with Mr Hetherington 2 weeks—3 months in Hospital—mariner by profession The other mans name is Searle, who resides on the hill to the right of Glenn Cos Store—Mr Hetherington came home last night about 12 oclock at midnight—

Left London in Jany 1849 then to Sidney Arrived in Sidney in 1849. had about 150 passengers when he came here Heard of Hedtherington Arrest for assaulting a woman Charles Brewer formerly lived with Mr H— Have heard Mr Hetherington say he has been in Sidney 17 or 18 years— Mr. Brewer fired a Gun 3 nights since at a rat³—usually burns a light at night—Mr Hetherington sold the *Horatio* a small Boat on the 13. of May Boat sold to Mr Jacobs—Boat sold for 130\$

[Signed] William Byatt

Statement of Wm Byatt. San Francisco, June 20, 1851

Case of Mr Hetherington

Have been in Mr Scotts house Know Mr John Gorman keeps ship wrights arms in Dupont St Mr Becketts wife lives on Stockton St on the left going to the water—I am satisfied some of the passengers with me were bad, know nothing of Russell except as a passenger Saw Fitz Patrick 4 or Five days since on Long wharf know nothing of his profession Dont know whether Mr Scott is connected with burglars—Mr Herringtons wife left him because Mr H whipped her Has heard Mr Herrington say he lived in in Sidney 17 or 18 years—Mrs Herrington lives with Mr Richard Snook at Negro Bar in the mines—Mr Herrington has lived for 12 months where he was taken today Mr Fitz Patrick I have heard was a convict—I know positively that Mr Herrington has carried on boating within 8 months, Mr Hennessy lives on North Beach an[d] know that Mr Herrington knows he live there because he has visited me there Have seen a man visit Mr Herrington who has lost his thumb think him a bad man. Thomas Brown robbed Mr Hennessy Mrs White I think was concerned in the robbery or keeps a bad house—Old Steven lived at Mrs Whites—bad fellow

³ This shot was suspected to be a signal to the Sydney men to be on their guard (Report of the night watch, June 17, p. 41).

[June 20, 1851]

Mrs White lives on north beach 2 doors from Mr Hennessey
One chest belong to Mr Smith now at Petaloma—another belongs
to a man named Ned thinks Mr Hetherington lent money on
it —Mr Hall & Mr Scotts Houses have bad names & Mrs Whites
on North Beach

San Francisco, June 20, 1851

William Byatt— Come from London to Port Adelaide &
from Port A to Sidney from Sidney to San F— Thomas Scott
was accused of stealing on the voyage here—I run a boat to Don
Castros Ranch for Mr Harrington—I know he had bad char-
acters visit his house—and I told him so—A man named Schole-
field is a bad fellow—he lives on the hill—many bad fellows live
& visit him. Mr Herrington owes me 200\$. Mrs Robinson
boarded with Mr Herrington—Mr Herrington was arrested for
assaulting Mrs Robinson Mr Smith boarded with Herrington

Mr Charles Brewer left a few days since lives now in
Dupont St Mr Searle is a married man never lived with
Mr H I came to San F in the Bark *Orator* had 150 pas-
sengers, I think I could find 20 or 30 now here

Mr and Mrs Brown Mr P Sullivan Thomas Scott Mr
Becket Mr & Mrs Judd Mrs McVickers Mrs Wilson or
Mrs Suthers Mr & Mrs Higgins John Crestwell Mr &
Mrs Green Mrs Sullivan was when she came Catherine Farley

Catherine Fye now Mrs Burns John Mitchell & wife live
on Stockton St—Fitz Patrick Mr Murrill lives in happy valley

McRoberts now drives a team—a family named Hall lives in
Happy valley⁴—Knows a man named Russell is known by the
name of Mr [. .]

S Brannan to Capt Toby. Copy of Letter

San Francisco June 20/51

Capt Toby Commg Am Brig "*Malek Adhel*"

Sir We have sent to your vessel a committee of five to ex-
amine the baggage of your passengers for Sydney as we have
strong evidence to believe they have a large amount of valuable

⁴ Happy Valley was the district that originally lay behind the first
line of sand dunes, south of Market Street, and near the water front.

[June 20, 1851]

stolen property & money, & we hope you will afford them every opportunity & facility to recover the property

By order of Vigilant Committee.

[Signed] S. Brannan.

Notice to Col James

San Francisco, June 20, 1851

The People

Vs

Col. James

Sir:—

The most eminent physicians of this place have decided that the climate of San Francisco is very injurious to your constitution. It is due to you that we should inform you of the fact and request that you will seek a place more congenial to your health, feelings and disposition, before Wednesday next.

By order of

The Committee⁵

(Seal)

SATURDAY, JUNE 21, 1851

MISCELLANEOUS PAPERS

[*Letter from Thomas Burns*]

San Francisco June 21st 1851

To the Committee of Vigilance

Gentlemen this will save you a Deal of Trouble if you Can Bring one man or woman in this City who can come forward

⁵ Col. G. F. James may have been in disfavor as a conspicuous criminal lawyer, but as there is nothing further to explain this letter, it is possible that it was unauthorized, as the *S. F. Herald*, July 1, stated that an attempt was being made to create prejudice against the Committee by sending to respectable citizens forged notices that they must leave the town. "We are authorized to state," it continued "that in no case has any such notice been sent . . . through the post office. In every instance they have been served personally by a sub-committee of three or more upon the parties intended to be reached." The seal used is not the stamp sometimes attached to official papers of the Committee, but an impression of a Mexican dollar, upon a circle of paper padded by a thin layer of sealing wax.

[June 21, 1851]

and State to you the slitest offence as to my Charecter or Dishonesty I will Leave this Country Immediately with the Exception of Mr Lavers

Yours

[Signed] Thos Burns

[Addressed:]

To the Committee of Vigilence
San Francisco

Testimonials of Character of Mr Tho^s Burns. June 1851

San Francisco June 21 1851

Gentlemen of the Vigilance Committee

I have known Mr Burns for the last fourteen months during that time he has always appeared to be an onist and Industrious man I have supplied his house with Sarsaparilla beer during the fourteen months and I have never seen any thing but Industry and hard work from Mr Burns & his wife

[Signed] John Cammot

[Addressed:] To The Vigilance Committee

San Francisco June 20 1851

Gent^l Forming the Secret Committee

The bearer of this note Thos. Burns. I beg to state I have known him in Hobart Town for four years, as an Upright Honest Sober man, he came free to that place, he owned several boats to carry goods to different parts of the Island which he performed to the utmost satisfaction to their Gov^t who employed him. the parties who have been examined before you on his behalf in this City during his stay there may prove favorable to his Case

Gent^lYour Ob^t Serv^t

[Signed] George Bolton

[Addressed:]

Gent^l Forming the Vigils Com^{tt}

[June 21, 1851]

San Francisco June 21st 1851

To the Hon Vigallence Committee of this City

We the undersigned do Certify that we have been acquainted with Thomas Burns for eight months I consider him a peaceable and Respectable Citizen and can Recomend him worthy your Consi[d]eration

[Signed] Wm L Carpenter R[hode] I[sland]

“ George Willis Valpa[raiso]

“ Saml Moore Talpa[huana]

[Addressed:]

To the Vigilance Committee

San Francisco 21st June 1851

To The Vigilance Committee

Gentlemen I kept a Restaurant in the basement story of Mess^{rs} Morgan & Co House on the Corner of Battery & Vallejo Streets from the 7th of Aug^t 1850, until the 17th of March last, during the greater part of that time Mr T. Burns kept a Sailors Boarding House a little higher up on Vallejo Street. I never during that time, see or heard any thing bad, of either him or his house, but always considered him, an hard working industrious man.

I remain Gentlemen

With Greatest Respect

Your Ob^t S^t

[Signed] W^m C. Oldfield

[Addressed:]

To The Vigilance Committee

San Francisco

S Payran's Report in Relation to Red House

To the Vigilance Committee for the City of Francisco

Gent A report has been made to me from a reliable source, that a House known as the *Red House* situated on Vallejo Street, between Stockton and Dupont Streets, is a resort for Felons, it is kept by a man & his wife, his name I could not learn, it is further reported that the keeper is a transported Sydney convict,

[June 21, 1851]

In furtherance of our views I make this statement, so that by due vigilance we may be enabled to eradicate one of the evils that now infest our City.¹

Respectfully

Your Obedt Servt

[Signed] S Payran

One of the Exe^e Committee.

S. F. June 21 1851

[Addressed:]

To the Executive Committee of the Committee of Vigilance for the City of San Francisco

Present

Thomas Scotts Statement, San Francisco June 21. 1851

Thomas Scott Tailor resides on Montgomery St above Pacific Am from Manchester England Arrived in California about 15 months since in Bark *Orator* from Sydney Am a tailor by profession was in Sydney about 6 years—Believe I know Hetherington work for my living by my trade

Mr Docherty attends to my business when I am away—has since left me and now lives with Mrs Hows two doors below me—Charles Becket a small man—light hair—came from Sydney with me Know a man named Richardson—Sent money by a Mr Horner for my family—Dont know Mrs Hows dont visit her—heard of a man being poisoned at her house—Know a man named Russell taller than I am—stoops a little—know a Mr Barnes—Mr Russell took a drink in my house 3 or 4 days since—first drank in Plaza—Mr Barnes lives next door to me—believes he came from Stockton Dont know Mr Jenkins or Simpson²—heard of a man being hung by that name. Dont know Mrs White—I think I know the name of Connolly—Sent home 200\$ by a man James McDonald—dont think it reached home—Know Mr Austin he kept a drinking house on Montgomery St near Pacific St. Have seen Mr Hetherington once or twice—I am sure

¹ See Statement of David Earle, p. 91.

² See *S. F. Herald*, June 12: "By some error, we presume, the man Jenkins, executed on Tuesday night, was named Simpton in yesterday's *Picayune*. This was a mistake, as we have reason to believe his name was Jenkins."

[June 21, 1851]

I came in the Bark *Orator* from Sydney—I think Mr Hetherington came in the *Orator* with me but am not certain—Dont know where North Beach is Have never been at Mr Hetheringtons house on North Beach, dont know where it is—Know nothing of Mr Hetherington dont know where he lives or anything about him—Dont know that he was a passenger with me The people all had a good character on board the ship I was arrested on board ship for striking the Capt—was accused of stealing part of the cargo, it was not proved against me—know a Mr Gorman he keeps a public house—dont know Mr Burns—Knows a Mr Barnes keeps a tin store next door to me my opinion is that he is an honest, hard working man. Know a Mr Edwards as a thief, also a Mr Ainsworth, cant think of any more³—Know a Mr Russell dont know where he lives—bailed him out of the prison—Russell the tin man stoops in shoulders [Annotated on margin: man poisoned we think by Scott] Mr Russell is at Stockton at the time the last fire ocured here.—

Here the two men were introduced to each other and Mr Scott finds he knows Mr Hetherington

Brought no certificate from Sydney for character Several men have been pointed out to me as thieves—was in irons some 10 or 12 days Know Bill [Annotated on margin: proper name William Byatt] Cook of the ship know Mrs Southers has gone home—

Was 120 days on passage had no trouble or fighting—heard Sellers wife say that he was a convict—Know a Mr Fitz Patrick on board and heard he was a convict Mr Fitz Patricks brother bought a vessel called *Thomas Lord* and went to Sydney with her I dont know any thing about Mr Hetherington
“Here the man was searched” found on him eight dollars, one watch key, one chest key, one bullet—Here the testimony closed for the night—

San Francisco June 21, 1851

³ Edwards was implicated in the confession of James Stuart, p. 228 (note 16). Thomas Ainsworth, alias Tommy Roundhead, was arrested July 17, in company with George Adams, and was finally turned over by the Committee to the authorities.

SUNDAY, JUNE 22, 1851

MISCELLANEOUS PAPERS

Peter Davis Exⁿ. Prisoner Discharged, June 22/51¹

Mr Fleischch[er] & Mr Wolf both members of the Vigilance Committee, brought in and delivered up a Man who calls himself Peter Davis on suspicion of being a desperate character, being found in one of the Sydney Houses situate on Pacific Street Wharf June 22 1851

Davis resides at Mr Matthews 5th Ward House, the last two nights I have stopped with a Shipmate house near where the Fire took place, my Shipmate's name is Matthew Lewis

I have been in San Francisco nine months I came in the Ship a Barque *La Byron* Capt Chadwick from New Zealand, I have a son here on Board the *Elizabeth*, I have worked on board the Steamer *Cheseapeake* until within a week, since which time I have done nothing; I am a native of Bristol England, I have lived on Stewarts Island New Zealand, at which Place I lived twelve years and was engaged in whaling. I never was transported from England, and have never been guilty of any crime,

Captain Patterson keeps the Public House on Pacific Wharf and I went to his House and offered to assist in saving his property, Captain Patterson owes me nothing

[Signed] Peter Davis

[Annotated:] Prisoner discharged several of the Committee vouching for his innocence, and those by whom arrested attest that they had no good grounds for the arrest

[Signed] S Payran

Daniel Peterson

Mr Fleischhacker. Statement of charge vs Prisoner, June 22/51

S F June 22 1851

Mr Samuel Fleishhacker member of Vigilance Committee arrested Daniel Peterson who is now in Custody,

¹ On Sunday morning, June 22, at about eleven o'clock, a fire, evidently of incendiary origin, broke out on the north side of Pacific Street, near Powell. Spreading rapidly to the east and south, it burned ten entire blocks, and parts of six others, in the area lying between Powell and Sansome, and Clay and Broadway, and destroyed property valued at some

[June 22, 1851]

Mr Fleischhacker states that he arrested Daniel Peterson in the act of Stealing one bundle of red shirts and one Bundle Gray Drawers on Pacific Wharf, said Peterson carried the said goods on board a vessel, and threwed them in a small Boat, Prisoner stated that the Goods were given him in lieu of money for services rendered, but when requested to show the man who gave them he said he could not tell who he was

Mr Patterson of the Committee saw him take the goods, as well as Mr Peter Redpath on board Scher S. D. Bailey—further deponent states that Prisoner took the goods from a pile on the Wharf

[Signed] S. Fleishha[cker]

Attest S. Payran

Deponent Fleischhacker states further that he offered to give up Prisoner to the Captain of the ship to which Prisoner belonged Provided the Capt would become Bail for him, but when the Capt saw the Clothing he declined and desired that Deponent should take him and have the Matter inquired into further deponent saith not

Attest S P

[Annotated:] This prisoner discharged

[Endorsed:] Prisoner discharged

Justo Reyes Statement. Larceny, June 22/51

Justo Reyes— From the City in the Republic of Mexico Guadalajara I know why I was arrested for—was arrested for having a bundle of clothing—did not steal the clothing—dont know where I got the clothes but can point out the place if taken there—dont know the owner of the goods—the owner of the goods said that any one might take the goods as they must be burned—I understood by signs that the owner said that any one might take the goods—dont know the owner by look or otherwise—has never been before the recorder

San Francisco June 22, 1851

\$3,000,000 (Soulé, *Annals of San Francisco*, 345, 612). Members of the Committee arrested several men on suspicion of robbery, while the fire was in progress, but in spite of the excitement incident to such a catastrophe, all were discharged as innocent, except the Mexican, Reyes, who was whipped and warned to leave town.

[June 22, 1851]

How long have you been in California? Arrived in April last—Came to California by water in a vessel called the *Laura Virginia*—dont know the Capts name—sailed from San Blas in the month of—Mch² dont know the month—sailed the day after Ash Wednesday—was 29½ days coming Arrived in California on the 30th of April, has made a mistake, was here the 5 of April instead of the 30th—entered the service of Don Andreas Ramos on the 6th close to the Ranch of the Sanchez where the stage changes, on the road of the Mission—Don M Sanchez not sure whether day after or the same day of Ash Wednesday he sailed from San Blas His occupation with Ramos was a milkman He came here last night to sell milk—was at Breakfast when the fire broke out when the fire commenced had just risen from breakfast and lay down upon a bed Refers to Don Andreas Ramos his patron who lives more than one league after passing the Porte Zuelo upon the Rancho de los Sanchez—also to El Sir Oribe a Baker in Pacific Street—also Senior Lenorio in Company with Ramos

Found guilty of stealing—and recommend he receives two dozen lashes & be admonished to behave better in future

Testimony taken by J. B. Huie J. F. Curtis & J. L. Van Bokkelen

Motion adopted with amendment with addition of punishment to be ordered to quit the City and if found in the City again under any circumstances he will receive 6 doz lashes for every such offence.

[Endorsed:] Prisoner received 25 lashes and ordered to leave the State

James Smith Statement

June 22nd

James Smith Lodger at Scott's is a Scotchman born in Edinbro', 8 years old when he left. My father carried us to New South Wales. *John Calvin* brot. us here from Sydney, 120

² "Mch," is interlined as if added after "Don't know the month." The *Alta California*, June 25, reports that a Mexican had been given two dozen lashes by the Vigilance Committee, for stealing during the fire.

[June 22, 1851]

Passengers—All Sydney people emigrants to Sydney. most all married did not know Scott before I arv^d went to drink at his house as soon as I landed—Croxtan & Ward came in ship with me—they live near to Spiers & Keep Public House.—I have been wild at prize fighting in Sydney. I was in N. S. Wales since I was 8 yr^s old Never seen England since. never have been asked to join in stealing &c—I have been working on road for Adams. Am carpenter by trade but could find no such work—have an acquaintance here by name Tate, have not seen him yet.—People are very select in Sydney as to associating with convicts—Dont know any transports here—never have heard any named—There is a relation of mine here named Drinkwater—My Father & mother are both dead have 2 bro^s—8 sisters. —Have been in this place three weeks.—Scott has 2 Boys boarders—Dont know their names.—no suspicion of Scott being bad—Scott is a Tailor, but has been cooking the past week.—Bill used to cook Scott is not out much at night.—I dont know who arrested me for stealing watch—he was drunk.—Constable picked a watch up, Supposed I stole it.—I dont know anything about the man who lost the watch—I suppose I was sauey being drunk myself & that was the reason he took me.—The following came on ship

Croxtan Ward, Solomon, Cabin

Steerage Doyle, Davis, live with Croxtan as servants O'brien & wife & child; Lynch & wife, McChastic[?] & wife & child—Seven single girls—Ann Finley Mary Bradley.—Jno Smith a married man gone to Stockton—has been here before returned to Sydney got married & came back with me.—I have had 2 set tools at Circus and California Exchange I have a team at stables up here—

Description Smith is about 5 feet 11—light complexion Sandy hair, stout & well built blue eyes—protruding forehead nose sunk as if broken by blow. One tooth broken by blow. small redish whiskers.

Scott took a man living in street—named Latimer—Latimer now lives at a shipmates.—

Dont know Jenkins did not see him after he was hung—

[Endorsed:] Discharged no evidence against him

[June 22, 1851]

Sharp & Co.

James Smith—tall say 6 feet light hair thin face strong muscle, wears at present black surtout coat and brown Cal hat, large mouth. Brummy³ is his chummy Smith was in jail in San Francisco charged with being in a bed room—under the bed arrested about 6 weeks since McElroy was the officer who know all of the circumstances

*James Llewellyn, Statement. Charged with Larceny,
June 22, 1851*

James Llewellyn Born . . .⁴ London From London to Port Nelson From Port Nelson to Port Nicholson from Port Nicholson trading to Society Islands on trading voyage—has been here one month—has never been a convict—blood on my face caused by the parties who arrested me—When I was at the fire there were a lot of coats & things—and I thought some of them would fit me and I put one on and sat down and was eating some bread & cheese and I was drinking some spirits and after that I was walking through the store—I dont [know] whose store—Came here in the . . .⁴ Brig *Despatch*—a sailor before the mast—Live on Clarks Point on the Hill with a man named Edwards—Edwards is a working man works for Mess Simpson & Remmington I have been working for W T Coleman

[Annotated:] Above prisoner remanded for future hearing—as other witnesses are to be brought against him

[Endorsed:] Prisoner Discharged

F. Argenti Statement Case of Metcalf

Mr F. Argenti makes the following complaint That a carman by the name of "Metcalf" having agreed for the sum of Fifty dollars to take charge of four loads of Furniture and wearing apparel, he returned Three Loads of Furniture *only* and gave no satisfaction of Several bundles of wearing apparel he the carman however insisted on the payment of the Fifty

³ Big Brummy was implicated by James Stuart (see his Confession, note 21, p. 230).

⁴ Illegible.

[June 22, 1851]
dollars which was made after a great deal [of] annoyance,—to the "Lady"⁵ owner of the lossd goods, which created the suspicion that he had appropriated the missing goods.

This Statement can be Substantiated by several witnesses

MONDAY, JUNE 23, 1851

MISCELLANEOUS PAPERS

Boat Reports

John B Evans Saw a boat pulling out from shore, and according to my orders I hailed it with—Boat ahoy! heave too if you please the answer was, go to hell you son of a b—h on what authority do you order me to heave to? I explained to him my authority and told him if he was a good citizen he would heave to and let me examine his boat—he replied that he was not a citizen—then I told him to heave to any how, run along side and grappled with him and fired the signal which was 2 shots from my pistol told the man in the boat that I was not firing at him but merely a signal—he seized one of my boatmen by the throat a member of this Committee (Mr Thompson) Mr T shook him off and raised his oar, I told him not to strike—but spoke too late he did hit him over the head and knocked him down in the boat.¹

[Signed] John B. Evans

Boat No. 5

San Francisco June 23, 1851

⁵ Angelina Duclos, who complained of this theft, was the alleged mistress of Felix Argenti, a member of the Committee, and a leading banker of San Francisco. His influence led to a search of Metcalf's house, on the night of the 22nd, and, in retaliation, the latter brought suit for damages against Argenti, and others who accompanied him (see note 1, p. 156).

¹ Experience in earlier fires proved that quantities of stolen goods were carried to the islands in the Bay, or to the opposite shores. The water police of the Committee was very alert on the night of the 22nd (see voucher No. 6, p. 770), and this encounter with Captain Hammer, who refused, when hailed, to give an account of himself, is a good example of the possibilities of violence inseparable from such unofficial police duty.

[June 23, 1851]

*Mr Phelps Statement. Case of Cap't Harris [Hammer]*San Francisco June 23^d/51

Statement of Cap^t Hammer, was going off in his Boat at or about 9 o'clock, a Boat run into me, fell alongside each other. Vigilance Boat dropped astern about a Boats length. Sung out to Capt H's Boat Stop. told my men to give way believing the other to be a drunk party, & felt irritated at the colision. they then pulled up alongside, seized my Boat, told them to let go, said they would not, but wanted to overhaul my Boat. told them they could see that there was nothing in the Boat & to let go. Said they would be d—d if they would, that they wanted to see if I had any stolen goods, I then shoved his hands off the gun-wales. he jumped up in the Boat picked up an oar & hit Capt H. on the head with it, then dropped his oar & tried to pull me into their Boat. was struck by the Boatman—the others sat in the stern sheets & fired off 2 or 4 pistol shots. had my clothes torn off me. one man in the Bow of the Boat pointed a pistol at my head—they then left my Boat & I pulled after them, they ran & got hid among the shipping—Have approved of and assisted all in my power to benefit the Vigilance Committee & if had been properly hailed would have answered at once—My second mate called to the Boatman when he raised the oar to strike Captain Hammer, Harry Thompson for God sake take care what you are about

Given in presence of Col Huie W. Bromley Bluxome J. F. Spence

Statement of Robert Philpot

2^d Mate of Ship *Medora*—about 8½ last evening left with the boat for the ship Cap Hammer on board the boat—whilst going to the ship a boat approached in the direction of our starboard bow and came along side without hailing—after being along side she the other boat dropped astern of us. then heard a call of stop that boat, they at the same time pulled for us. Capt H told his men to give way—The man in the boat after us said he had authority to have the boat stopped. He then said stop that boat or I will shoot. he then fired two shots, after firing two shots they got along side of us—and fastened on our boat. The same

[June 23, 1851]

man who had hailed us said I want to see if you have got any thing in your boat. I told him there was nothing in the boat. The captain was angry and told him to shove off and let him go clear. The Cap stooped down to shove off the mans hands who was holding on the boat. A man named Thompson who was pulling the 2 aft skulls tore the Cap^s Coat. The Cap said the men were a parcel of cowards when one of the[m] struck him with an oar. One of the men in the stern sung out dont Thomson! dont!! the boats were about 3 feet apart when the Cap was struck. We then pulled for the ship. after pulling 2 or 3 lengths we turned about and came into long wharf waited $\frac{3}{4}$ or 1 hour for the Cap we then pulled out in the stream to go on board. Was hailed by another boat, in reply told who we were and went along side—

Cross Examination. When the boat that we had the difficulty with, got along side they said they said they belonged to the Vigilance Committee. Dont know what reply the Cap made when they said so. After the Captain was told they were for the V. C. he called them sons of B—es it was at that time and after the Captain had said this that Thompson struck him—Dont think he would have been struck had he not used the expression. Captain H. was somewhat excited by liquor at the time of the occurence. Cap H told the party in the boat that he was no citizen

[Signed] Robert S. Philpot

Evidence. Tierney, Baisillio & a Swede

John Matson a Swede A sailor from China on board Ship *Stockholm* thick set & strong, light hair, blue eyes—arrested for having a box of matches in his possession—No witnesses against him—He is now a sailor on board the Sloop *Ceylon* running from this City to Stockton—

Tells a plain & straight story & is undoubtedly not guilty—recommend his immediate discharge

Testimony taken by J. B. Huie & James F. Curtis & J. L. Van Bokkelen

[Annotated:] Finished discharged

[June 23, 1851]

James Tierney's Statement. Larceny. June 22/51

James Tierney states that he was arrested for taking an axe in Sansome Street, is an Irishman by birth but resides at Providence Rhode Island when at home, has a Tent at the top of Sansome Street I worked for Mr Priestley Mr Evans, who is employed by Mr Burgoyne says he has money in Burgoyne's hands now

June 22/51

[Annotated:] Finished

*Reexamined June 23/51 by J. B. Huie & Jas F. Curtis & J.**L. Van Bokkelen*

Came here via Panama pr Str. "Northernner" been here 12 months—was arrested once for drunkenness & discharged—was intoxicated yesterday—does not know who arrested him—has \$110—deposited in the Bank shewed his bank-book—

We recommend the prisoner Tierney be discharged at once—

Testimony taken by J. B. Huie James F. Curtis J. L. Van Bokkelen

[Annotated:] discharged

Antonio Barsalle. Brief Examination June 22/51

Antonio Barsallio Ciudadano del Puerto de Guayaquil

Am in the employ of Capt Bunsons on board of the *Joan* I was arrested in the Parker House engaged in putting up Pins in Bowling Alley I was arrested about one hour ago (now half past 2 o'clock P.M.) he was taken Prisoner because he had taken a pair of Pantaloon & pair of Boots—No other offence was alledged against him. Prisoner was trying on a pair of Boots at which time an American took charge of him, the Boots were thrown on one side of the Parker House which he believed were thrown away—

Reexamined 23^d

Found guilty of stealing—Recommend he have one dozen lashes and an admonition not to do so again & that he tell his countrymen they must look out not be caught stealing—

by J. B. Huie James F. Curtis J. L. Van Bokkelen Ex Committee

[Annotated:] discharged

[Annotated] [discharged]

Committee

by J. H. Hulse James F. Curtis J. I. Van Hook

circumstances they must look out not to catch stealing—

lashes and an admonition not to do so again & that he tell his

Recommenced 23rd

thrown away—

thrown on one side of the Parker House which he believed were

at which time an American took charge of him the facts were

alleged against him. Freeman was trying on a pair of boots

a pair of pants & a pair of boots—No other offense was

part 2 o'clock P.M.) he was taken prisoner because he had taken

in Bowling Alley. I was arrested about one hour ago (one half

was arrested in the Parker House engaged in putting up the

Am in the employ of Capt. Hanson on board of the Java. I

Antonio Hanzellio Cincelano del Puerto de Guayaquil

Antonio Hanzellio First Examination June 22nd 21

[Annotated] [discharged]

Booked

Testimony taken by J. H. Hulse James F. Curtis J. I. Van

We recommended the prisoner Tierney be discharged at once—

has \$110—deposited in the bank showed his bank-book—

was interested yesterday—does not know who arrested him—

12 months—was arrested once for drunkenness & discharged—

Came here via Panama by Ste. "Northwestern" been here

L. Van Hook

Recommenced June 22nd by J. H. Hulse J. I. Van Curtis & J.

[Annotated] [discharged]

June 22nd

guy's hands now

who is employed by the Hongkong says he has money in Har-

of Sansone Street I wanted for Mr. Tierney Mr. Hulse

Providence Rhode Island when at home has a Tent at the top

axe in Sansone Street is an Irishman by birth but resides at

James Tierney states that he was arrested for taking an

[June 22 1891]

Account of Parker Court History

[June 23, 1851]

Statement from Thos Hatheway discharged

Prisoners Name Hanson Hatheway Works for Esquire Turk who resides in Happy Valley—I have worked for him three weeks—Arrived in San Francisco one year last April on the *Tennessee*, I have been at the Mines different times, I was five days in San Francisco, and went to Marysville. I remained five days at Marysville, I remained five days at Downieville, I was five days altogether prospecting, I came down to Foster's Bar, I worked at Foster's Bar three days for the New Bedford Company I then came down to San Francisco one day after the great fire in May My residence is Marysville, I now claim San Francisco as my place of residence, I am from Massachusetts, I do not know the different localities of the City do not know where I was arrested, I came into the City shortly after the Fire broke out—Mr Turk & his woman went to his Ranch yesterday and left myself and one other man to take care of the place, I know Montgomery Street, it is the only Street I know—I am from Taunton Mass my occupation was in an Iron Foundry

I know Capt Leonard of the Ship *Monsoon* I live in Happy Valley in my own house there are five live with me—dont know what I was arrested for—dont know how I received a black eye—Know E Harvey—E Luther E Hildreth and his partner—

Mr Frank Turk appeared in his behalf, spoke well of him &c—

[Annotated:] Prisoner discharged 23d

[Case of Burns]

San Francisco June 23: 1851

The Bearer Mr Tho^s Burns I have known in Van Diemens Land, for the last *Ten Years* as a Freeman and always considered him a very honest and industrious Character

T Glestor

Union Place Stockton Street

To The "Vigilance Committee"

[Addressed:]

To The "Vigilance Committee"

[June 23, 1851]

Ogden

A man about 5ft 4in—dark brown hair brown face “from exposure” wears an over frock or guernsey shirt under his pants—hails from *London*, has a wife or woman who does or has lived with Mr Burgoyne—left town suddenly after Jenkins death “Same time the houses near the new prison & Catholic Church were vacated by the Foreign Gentlemen” returned about 8 days since drunk said he had been to the mines had the privilege of sleeping on a chest “in a small house on Broadway near Powell” owned by or occupied by Mr Levi Calderwood from State of Maine²

On Saturday Night last he did not come in until about 3 Oclk A. M. did not answer to the call until the fourth was made, in the morning got up shaved and went out did not return previous to the burning of the house—was pointed out to one of this Committee by Mr. Calderwood & followed to a house in Jackson near & above Stockton Street—Mr Calderwood does not doubt but that this man was one of a gang, & that Saturday night they were out concocting their plans for a combined attempt to Burn the whole City—Calderwood intended to arrest Ogden & bring him before the peoples committee but was advised to leave him for further proof

[Signed] Saml L Dewey

Monday June 23^d, 1851*David Thompson*

Arrested for Stealing—Came here from New Castle N.S.W.—was 4 months in the Colonies—has been in this City two months—been boarding near Clarks point in a sailor boarding house—was intoxicated yesterday—

We recommend Thompson be immediately discharged

Testimony taken by Ja. B. Huie Ja F. Curtis & J. L. Van Bokkelen

June 23^d 51

[Annotated:] discharged

² Robert Ogden and his wife were prisoners of the Committee in August, and as a result of his examination Ogden was ordered to leave the state.

TUESDAY, JUNE 24, 1851

MISCELLANEOUS PAPERS

Lieu^t G H Derby. Sonoma. 24 June 1851

Sonoma Cal. June 24 1851

Secretary of the "Vigilance Committee"

Sir I have the honor to inform you that a most notorious villain is now in your midst whose arrest I as well as every good citizen must, most earnestly desire. His name is Samuel R. Church a deserter from the U. S. service. This man enlisted in Mexico where (if we are to believe his own boastful confession) he had long been connected with a band of robbers, has since his entry into the service been guilty of a continued series of crimes which has caused him to be kept for the majority of the time with a ball and chain attached to his leg. He asserts that he was the man who endeavoured to murder Capt Bragg by placing & exploding a shell beneath his bed at the Camp near Saltillo—& has claimed in a boastful manner since his arrival in the country connection with many outrageous exploits of a similar nature—His previous life however I presume falls not within the examination of your committee.

On the night of the 9th of June inst this man deserted from confinement at Benicia and returning to Sonoma stole from the public stable my horse an animal to me of great value for his long services and for which I had been offered and refused four hundred dollars.—This crime brings him under your cognizance, he being now within your limits—

The man Church is about thirty years old, five feet nine inches high, strongly built, *freckled face, light red hair & has lost two or three of his upper front teeth* he casts down his eyes when addressed—Immediately on being informed of his arrest by your body I will appear before you, and give evidence against him which will convince you he should no longer be allowed to cumber the earth—

With great respect

Your obdt Sevt

[Signed] Geo H Derby¹

¹ Lieutenant, afterwards Captain, Derby became well known as a writer of humorous sketches of western life, under the pseudonym of

[June 24, 1851]

Lieut U. S. Army

[In place of address:]

Mr Howard is requested to lay this paper before the
 "Vigilance Committee" and oblige his sincere friend

[Signed] Geo H Derby

Lieut U. S. Top Engineers

Sullivan's Evidence

June 24

Jno Sullivan. My wife said this man offered to assist her in taking care of things during fire on Sunday offered to take them to house on corner of Ohia and Bway.—Her bundles of clothes that were packed the most valuable, he took Said his name was Sullivan—likewise he had one or two with him who took a chess[?] table he took bundles and a glass and some chairs—he has them now & is willing to give them up.—he denies having taken bundle—I have seen one or two men & my wife also, who say they saw him take them down Jackson St. I will produce witnesses tomorrow.—On Sunday evening saw man taking in card table into house corner of Ohio & Dupont. I asked him if he had the bundles had young man with me named McMina[?]. The man said before us that he had one bundle and tables &c afterwards denied that he had said he had bundles he went up stairs Showed me glass table & one chair—was willing to give them up—I asked Mr McMina[?] if that was the man that had tried to take away safe—he said 'twas—prisoner is man as described—other witnesses said 'twas man who took bundles—took him up to see my wife. She knew him for the man—Today while I was out he brought up a policeman who says he did not see man take bundles.—but other men say no policeman was there—Before this he had whiskers he has shaved them off lately.—

[Signed] John Sullivan²

John Phoenix. After prolonged investigation of the case of Church, the horse thief, the Committee decided to hand him over to the military authorities for punishment.

² The signature on this statement is not the same as that of John Sullivan, number 269 in the roll of members.

WEDNESDAY, JUNE 25, 1851

MISCELLANEOUS PAPERS

*Sullivan's Matter. Arrested for stealing*June 25th

John Sullivan— Cork County Ireland—I have been a sailor & whaler. never was in Sydney—have been in S Australia stopped there.—first 4 mos—I was lightering—I boarded in Happy Valley in a tent Lately I took a house foot of Jackson St.—been 4 months there. I lived further down than Sansome between S. & Battery St.—My house was called Boatmans' home

This was 4 months ago—I moved into my present house 20 May—I rent from Mr Sutton—I keep a boarding house & bar.—I know Mr Barasted, Mr Smith, Mr Charlick, Mr Grimes.—I am accused of taking some of Sullivan's wife's things.—I once rented a house from Sullivan or my wife did while I was at the mines—I asked Mrs Sullivan if she remembered me. She said yes y^r name is Sullivan I offered to assist her moving & offered my house to receive her things in—I put several large bundles bedding &c into a waggon with safe. I took the glass under my hand. That evening Sullivan thanked me for my services, about 2 hours afterwards he came down with another man & asked after cther things of his wife's. & he returned again—when I went up to see Mrs Sullivan to hear whether she said that I had taken the bundles. All my things were taken out of the house because they feared the fire so when Sullivan came down he saw men putting tables &c back again.—I never had whiskers

Smith says he knows Sullivan that he considered him always honest—man—never had whiskers.

[Endorsed:] Prisoner Discharged

Statements Relating to Sullivan

John B. Redmond I saw the prisoner at Mrs Sullivan. I do not think he is the man who took the bundles—The man who had the 2 Bundles of clothes had whiskers.—I did not know the man before the fire. I met prisoner going up stairs—Afterwards I met a man sideways with bundle of clothes with whiskers.

[June 25, 1851]

I could not swear that this is the man who took bundles—I think I saw this man with bed.—I saw this prisoner as I believe going off with glass.—I dont think 'tis same man that had the bundles. The man I met going up stairs had blue shirt & his present pantaloons. Think man going down stairs had frock coat & whiskers.

Mr^s Sullivan— This prisoner came up to the house asked me if I knew him I said yes—he offered to take safe & most valuable things.—I gave some bundles of clothes china tables chairs He wore a blue shirt over his pants. He had whiskers. I gave bundle of clothes into his hands— There was no one there who resembles this man. There were many in the house But I remember well giving clothes to this man. The last I saw of him was going down Jackson St with glass & bundle on his shoulders.—He rented a house once of us.— dont remember whether he then wore whiskers.—There were a great many there but did not see a man with frock coat nor did I see a policeman—He seemed desirious to get possession of the safe. There were several bundles of bedding &c on the same cart that took the safe.—He only took one bundle. Mr Redmond saw whole affair. I would believe anything he said.—

[Signed] Catherine Sullivan

George Gordon I live here am carpenter—I dont know prisoner. I saw him day of fire at Sullivan—I was up stairs help take down the Safe & put it in dray. Several people about. Saw man with bundles of clothes. I cannot swear I have ever seen man before me. I think I saw him then—Mr^s S. was up stairs at time I moved safe—I saw glass go down stairs—I did not see any person demand safe I heard man say take it to my place. I saw him but cant recollect him

his
Geo X Gordon
mark

Westly Miller— The prisoner was at Sullivan's on Sunday morning. All furniture was at door I thought pris: was

[June 25, 1851]

a friend of Sullivan's he made himself officious.—He said things better be taken to his house Cor: Dupont [interlined: B. Way] & Ohio—This man me & W^m Dawson two strange men took loads I had Beaureau—I saw M^{rs} Sullivan with bundles of clothes. Whether man took them or not I cannot say. I can swear that M^{rs} Sullivan gave them to him. I did not see him with glass—I rather think he had no whiskers.—I spoke to him—But did not take particular notice. I saw a man about my height who went for dray. W^m Dawson M^{rs} Sullivan & I went up to W^m Dawson. Prisoner & two others went through Dupont down Washington St^t towards Square.

[Signed] Westley Miller

W^m Laundregg— M^r S. The prisoner was taking some of the things down.—I knew man at Port Adelaide. I lived there 5 years—I saw him there 2 or 3 times. He was working among shipping.—The principal part of things in street. I went for waggon—I did not return.—I did not see him with bundle man did not have whiskers—I carried bundles down stairs—

[Signed] William Londregan[?]

[John McDonald]

Wednesday June 25th—51

John McDonald—Drunk—Discharged.

THURSDAY, JUNE 26, 1851

MINUTES

Proceeding of Ex. Comm^e June 26 1851¹

26. June 1851. 9. P. M.

Meeting called to order.—present M^r Ellis Curtis
Garwood Mellus Bluxome Bromley Brinley M^cCahill
Schenck M^r Woodworth Payran

¹ Minutes of the meetings of the Committee are missing up to this date, and although Bancroft wrote of the existence of a book of minutes

[June 26, 1851]

Mr Garwood called to the Chair—Mr Brinley Seey—

Report of John Morris respecting one *Clay* presented by Mr Brinley, accepted and placed on file—

Resolution offered. 2nd by Mr. Bromley that Mr Morris be requested to meet the Committee at 9 o'clock tomorrow for examination—amended by Mr Mellus—that the Chair appoint a quorum to meet him, and investigate the matter. Committee—Spence Bromley Brinley F. E. Woodworth J.C. Ward.

Mr Earle introduced by Mr Payran gave evidence concerning "Red House"

Report from Finance Committee received and placed on file.—explanations offered by Committee of one from Finance—accepted—

Some doubt having arisen in the Committee respecting Mr Earle's testimony—resolution by Mr Schenck—that a committee of five be appointed to look after Mr Earle, and investigate the character of his report²— passed—Com: Doc. H. S. Gates S. Payran Mr Bluxome C. S. Simpson H. Mathews

Mr Burns introduced—*resolution* offered and passed to send a committee of one to proceed tomorrow on board Brig "Will" to ascertain if she is or is not to leave the port—

Resolution offered by Mr Woodworth & passed that a letter be addressed to Am Consul in Sydney, informing him of the proceedings of the Vigilant Committee in San Francisco—

which gave the proceedings of the Executive Committee from June 16 to July 4, (*Popular Tribunals*, I, 242), such a volume was not listed as a separate item in the catalogue of the Bancroft Library. The minutes from June 26 to September 17 are preserved on loose sheets, sometimes in the first rough draft, but more often as a corrected copy, and after the reorganization, on the latter date, the minutes of the Executive Committee were recorded, as approved, in a bound volume.

²David Earle, or Earl, was expelled July 9, after the statements of Stuart and Hetherington had proved his criminal affiliations. On the same day a man of that name was charged with bigamy before the Grand Jury, an accusation possibly related to the "family difficulty" alluded to in his statements. The charge was dismissed as malicious, but two weeks later he was before the recorder for obtaining goods under false pretenses, a complaint which was not further pressed. Soon after this the Vigilance Committee seized him, held him in close confinement for nearly six weeks, and, on Sept. 6, discharged him under orders to leave the state. Various statements serve to identify member 264 with this prisoner of the courts and of the Committee (see *Alta California*, May 11, *S. F. Herald*, July 9, 10, 25).

[June 26, 1851]

Resolution offered by Mr F. E. Woodworth & passed—that a recommendation be made to the Genl: Com: to expel a member (264) [David Earl] for reasons to be laid before them—

Report handed by Mr McCahill respecting the action of certain fishermen on North Beach— rec^d & placed on file—

White & Storm & Hennessey requested to come before us—

Communication from the Dep. Sheriff to visit County Jail— rec^d & placed on file—

Resolution offered by Mr F. E. Woodworth & passed—that a recommendation be made to Genl. Comm: to appoint a deputation

MISCELLANEOUS PAPERS

Order Finance Comm^{tee}. June 26th 1851

The Sergeant at Arms is hereby requested to collect from members their monthly assessment of Five dollars and as soon as collected pass the same over to the Treasurer together with any other funds he may receive on a/c of the Committee and that he is further requested not to make any disbursements unless by an order on the Treasurer under voucher from the Committee.—

Committee Room San Francisco 26 June 1851

[Signed]	W ^m . H. Jones	} Com.	
“	Eug Delessert		on
“	Geo. R. Ward		Finance

Order F[inance] Comm^{tee}

A. J. Mc Duffie Esq. Sergeant at Arms

Please pay over to J W Salmon Treasurer all monies in your hands as per a/c ren^d \$255.18 ³—

[Signed]	R. S. Watson
“	Geo. R. Ward
“	Eug. Delessart
“	W ^m . H. Jones

David Earle. Statement

June 26 1851, 9. P.M.

David Earle— Member of Genl Committee 264. No particular residence burnt out— at present at corner Kearney

³ See Memorandum of the sergeant-at-arms, p. 765.

[June 26, 1851]

& Sac St. Give information respecting a house called the "Red House" on Vallejo St between Stockton & Dupont.—

When Geo Adams and other thieves broke from jail, went to this house— police waited about these premises to apprehend them—for the last three days have visited the house off an on, and encountered men of anything but a respectable appearance— have been told it was the resort of thieves, and the class of men seen corroborates the opinion— have seen Geo Adams there— another called "Jimmy from town"⁴ about 5 ft 7. light complexion—light brown hair, round face, hazel col^d eyes—large mouth thick lips no beard or moustache—pointed out as a thief by one of the police—have seen Watkins in company with Adams— never was intimate with him— have seen him in the Station house—was under arrest at the time arising from some family difficulty—Never saw Jenkins in the house— did not know him Watkins frequented the house⁵— do not know Scott, Burns, or Hedrington—never have heard of stolen goods at this place should suppose it a likely receptacle for stolen goods—

A Mr Mitchell living in Union Court between Dupont & Stockton informed me that the aforementioned persons were convicts— Does not know Mr. Hopkins— The man I saw at the Bar in the Red House yesterday was an old man about 50— 5 ft. 8. thin face—slight made— wrinkled— do not know his name— cannot say if this man is the proprietor or not—

Recollect the time Janson was struck with a slung shot⁶— saw Windred in the Station house—never saw Stewart— never saw Windred before to my knowledge— never sat at a table with Windred to my knowledge.

[Signed] David Earl

⁴ James Burnes, alias Jimmy from Town (see Stuart's Confession, note 17, p. 228).

⁵ William Watkins, a member of the Stuart gang, had been sentenced June 25, to ten years' imprisonment for the robbery of Colonel Stevenson's office. He had escaped three times, and each time had been recaptured (*S. F. Herald*, June 19), and an allusion in Dahlgrén's letter (p. 271), indicated that he may have been at one time in the hands of the Vigilance Committee. - His name occurs frequently in the confessions of various prisoners.

⁶ See note 4, p. 137.

[June 26, 1851]

John Caperton, Under Sheriff, County of San Francisco

Invitation to visit Prison, June 26, 1851

Sheriff's Office June 26th 1851.

Sir,

I would be gratified if your Committee or any portion of them would call and examine the County Jail on tomorrow at any hour which may suit their convenience. I mention that particular time that we may be sure that none but members of the Vigilance Committee obtain admittance: The unfinished condition of the building rendering it necessary to be careful in permitting persons to have access to the prisoners.⁷

Your Obt. St.

[Signed] John Caperton Under Sheriff
County of San Francisco

To the President of the Vigilance Committee.

[*Receipt for the Property of Mr. Dahlgrén⁸*]

Received from Barque Callao, W^m Ellis Master, the following goods—

1 large chest, 1 china trunk, two portmanteaus, 1 case Charts, 1 bag tools, 1 sextant, 1 hat box, 1 bundle bedding, 1 bundle, 1 bag clothes, taken as the property of Theodore Dalgren by the Vigilance Committee

San Francisco June 26, 1851

[Signed] Benj Reynolds
“ R. S Lammet

Witness John Coombs
Thomas Tennent
W^m Ellis—Master
Thos Melulen[?] Chief Off.

[Annotated:] Duplicate

⁷ In response to this invitation, a sub-committee visited the jail, and recommended (see report, pp. 157-162) that a subscription should be raised to help Sheriff Hays complete the building. On July 5, the General Committee passed a resolution calling on each member to collect \$30 for this purpose, and on the 9th, printed subscription sheets were ordered to facilitate the work. On September 10, \$4484 was placed to the order of the sheriff, and bills filed with the papers of the treasurer, show the items for which the sum was expended.

⁸ Theodore Dahlgrén (also written Dalgren, Dalgreen, and DalGreen), was accused of stealing a sextant from Thomas Tennant, and his property

FRIDAY, JUNE 27, 1851

MINUTES

Minutes Ex Committee

27 June 1851. Evening Session 7 P. M.

Present— Huie Schenck Bluxome Garwood Ellis
Gorham Curtis Bromley Brinley Turner

Huie takes the Chair—Brinley—Secty.—

No 404 [Rodmond Gibbons] presents a memorial respecting the case of Cha^s Duane— moved and seconded that it be laid upon the table for the present

Minutes of last meeting read—approved ordered to be placed on file.

Report of Committee on procuring passages for Scott and Hetherington—all satisfactorily arranged for their embarkation in the "Will" accepted and approved

Moved by Mr Schenck to take up memorial respecting Cha^s Duane passed.

Resolution offered that the whole subject be referred to the Committee of the whole. passed.—

Report from Committee to settle Scott's business referred back to the Genl Com:

Report [of Executive Committee June 27, 1851]

June 27. 1851—8 P. M.

Mr Ellis in the Chair—Mr Brinley Secty

Present—Bluxome Curtis Ward McCahill Schenck
Ellis S. E. Woodworth F E Woodworth Bromley
Brinley

Mr Curtis—from Committee of one respecting Brig "Will"—reports vessel ready to sail on Monday—Capt expresses himself willing to take any passengers for Sydney or Hobart Town—

was seized by the Committee, although he, for some time, evaded arrest. He was finally apprehended, tried, and honorably discharged. In a letter dated July 12, he expressed the highest esteem for the aims and methods of the Committee and offered any help it might be in his power to give, and a brief card printed in the *S. F. Herald*, July 11, informed the public of the favorable impression made upon him by this close, but involuntary acquaintance with the members of the organization.

[June 27, 1851]

Burns has his passenger engaged—report accepted—& referred to the Committee appointed to procure passage for returned convicts—

Mr S. E. Woodworth—Committee of one to proceed to County Prison—reports having seen the entire prison, and its management. &c— report accepted.

Capt of Police—called in—no particular business further than a request for a certain sum for “Secret Service money”—

Resolution by Mr Ward—that \$500 be placed at the disposal of Chief of Police with a Committee of three from Ex. Com: to receive from him vouchers as to its disposal.—Comm: S. Brannan C H Brinley S. E. Woodworth. Seconded and passed¹

...² Brig “Will”—Mr Trevett[?] engages that she shall sail early Tuesday morning will take passengers \$100—will give bonds to place said passengers in the Colonies barring accident of sea.

On motion S. E. Woodworth *resolved* that the Chief of Police be directed to arrest one Mr. Dalgreen and brought at once before the Ex. Committee.—

Thomas Tennant introduced, who states he went to examine some sextants in possession of Mr. Dalgreen, he saw a sextant, wh. he believes to belong to himself—Previous to the fire of 4th May Dalgreen has pawned a sextant to Tennant, On the night of the fire Dalgreen came to Tennant store & took the sextant and one other beside Tennant says he can prove Dalgreen to be a great rascal—Tennant’s residence Corner Mont’g & Washington st. up stairs. —

A schedule of property belonging to Hetherington was received desiring the Committee to dispose of same before his departure—

Resolved that a Committee be appointed to dispose of same & pass proceeds to the Ex Committee—James F. Curtis appointed as that Committee

On motion adjourned

¹ This resolution was rescinded July 1 (see p. 126).

² The brig *Will*, Captain Baker, cleared for Hobart Town, June 28, but the prisoners of the Committee were sent by a later vessel. The opening of the sentence is illegible.

[June 27, 1851]

MISCELLANEOUS PAPERS

[Case of Charles Duane]

404 [Rodmond Gibbons] respectfully submits—that Charles Duane has long been a notorious “fighting man” and a violator of the peace. That he has been guilty of a cool attempt to murder one of our fellow Citizens, in manner that shocked the whole community—That he was pronounced “guilty” by eleven of the Jurors appointed for his trial, and, but for the corruption of the twelfth, he would have suffered the penalty of the Law—A new trial was ordered, and his case came up in the Court of Sessions, on Thursday, the 26th inst, when he was *discharged!* there being no witnesses present. Charles Duane, therefore has been permitted to commit a great outrage with perfect impunity.³

It is generally understood that the Committee of Vigilance intends to administer Justice in all such palpable cases, when the Courts prove inefficient. This case may not be one such as would fall within the province of the Committee to act upon in the *first instance*: but, since the Law has been permitted to finish its course, and has done *nothing*, now seems the time for the Committee to take cognizance of the matter.

San Francisco June 26 1851

Whereas the case of Charles Duane alias Dutch Charley is well known to the Committee of Vigilance, and to the public and whereas the Law has not been effective in administering the punishment that he justly merits—the undersigned members of the Vigilance Committee respectfully call the attention of the Exe-

³ Charles P. Duane, alias Dutch Charley, a notorious bully, had been tried, in February, for shooting a man named Amadee Fayolle, but the case was continued until necessary witnesses left town and a *nolle prosequi* was entered by the Court of Sessions, June 26. This made the occasion for Gibbons protest, on which no action was taken. Duane, who was one of those who tried to prevent the execution of Jenkins, frequently showed his animosity against the Committee, and on July 21, he assaulted a member, Frank Ball, on the pretext of resenting the latter's attitude when serving on the jury in the February trial. His subsequent pardon by the Governor, after conviction and sentence by the court, aroused much public indignation. The Vigilance Committee of '56 exiled him from the state, placing him, by force, on a steamer bound for Panama. He returned in 1860, and instituted suits for damages, some of which dragged on for several years. Bancroft, *Popular Tribunals*, II, 597, 600.

[June 27, 1851]

cutive Committee to his case, soliciting their immediate action.

[Signed]	Rodmond Gibbons	404
"	R. S. Lammot	49
"	L. L. Batchelder	429
"	J. L. Van Bokkelen	173
"	W. B. Peake	97
"	W ^m C Graham	152
"	J. C. Derby	86
"	Tho ^s J. Johnson	350
"	James Shindler	50
"	John P Haff	72

[Letter from A. J. McDuffee]

San Francisco June 27. 1851

To the Vigilance Committee

Gentlemen It is desired that some means should be provided to ensure the attendance of those members who are detailed for duty. It has been found necessary to have 5 men on duty at a time which requires a detail of 40 men for 24 hours duty. each detachment of 5 remaining on duty the space of 3 hours. With our present roll no member will be required to serve more than 3 hours in 13 days. But to fill out and serve 40 notices and make out the proper details is more labour than can be effectually done by one person in addition to many other duties.

I would therefore ask, that, for the purpose of making the guard details more effectual and prompt that the Sergeant at Arms be ordered to post in the Committee Room all details 24 hours in advance and that a Card be published in all the San Francisco papers requiring each and every member of the Committee to visit the Committee Room once in every 24 hours and that no notices will hereaf[t]er be issued for details except for special duty⁴

Respectfully Your Obt Servant

A. Jackson McDuffee

Sergt at Arms

⁴ The following notice appeared in the papers of June 28:

"Vigilance Committee--At a meeting of this Committee held on Friday evening, June 27th, it was *Resolved*, That each and every member

SATURDAY, JUNE 28, 1851

MINUTES

June 28. 1851—Genl Committee—

Resolution respecting resignation of Capt Schander.—laid upon the table—fines to be remitted—

Report from Committee on Scott's business accepted—

Memorial respecting Cha^s Duane—resolved no action be taken upon the subject.

Motion to adjourn— lost—

Motion by Mr Woodworth carried—to divide the city in Squares, and a list be taken of everybody in Town, and their occupation. moved—referred to a committee of three to devise a plan—Chair appoint Committee S. E. Woodworth . W Bromley, Wethered¹

Moved to adjourn—

[Endorsed:] In relation to Chas Duane

MISCELLANEOUS PAPERS

[*Resignation of J. F. Schander*]

San Francisco June 27th 1851

To the Chairman of the Vigilance Committee

Sir Being about leaving this place I am obliged to resign my membership of the above mentioned Committee

[Signed] John F. Schander
Master of Brig *Lowell*

Marysvill Committee to Committee of San Fran.

June 26, 1851

Marysville June 26 1851

Gent

The Committee of Vigilance of San Francisco

I arrived here in Steamer *San Joaquin* last evening (Wednesday) We left on Monday eve San Francisco—I soon

of said Committee shall report himself at the Committee Room once in every twenty-four hours. San Francisco, June 28, 1851." For the blank used to notify members of appointments, see form printed on p. 136.

¹ No further mention of this plan is made.

[June 28, 1851]

found a man wife and four children, an Englishman by trade a Watch Repairer he had a place in Pacific above Stockton. his wife also kept a Stand for the sale of cigars and tobacco etc etc from her I learned what I consider an important item for the interest of San Francisco, although I could learn nothing definite, as to names or description—She said that several times she had heard persons say when in her place that the D—d town or place would be burned *Seven times* & that the next fire would be in this part meaning in the vicinity of Stockton & Pacific. She did not think much about it at the time, only after the fire, when what she had heard came before her—on a cross examination, Said there would be *Seven large fires* & that the first would be *there*, could not identify the persons but heard it two or three different times, cause alleged the execution of Jenkins—I do not doubt the womans honesty her husband overheard her and after that I could not succeed in drawing anything more from her. Just, *Eternal Vigilance* is the price of Liberty I will keep you informed of anything deemed worthy of your attention

Respectfully yours

[Signed] Sam L Dewey²

Messrs Gregory & Co agent Mr Rumvill has kindly offered to
ford my communication to you.

S. L. D.

[Addressed:]

Committee of Vigilance

San Francisco

Free

[Stamped by] Gregory's Marysville Express

Copy. San Fran Committee of Vigilance to [S. L. Dewey]

San Francisco June 28/51

Mr Sam¹ L. Dewey

Marysville

Sir: The Committee of Vigilance of San Francisco have this morning received yr communication of June 26th and due note has been taken of its contents. As an Englishman named Lee left this place suddenly with watches & jewelry & a family

² S. L. Dewey, V. C. No. 314

[June 28, 1851]

of 3 or 4 children under suspicious circumstances we address a letter to the Com^{tee} of Vig^e of Marysville with particulars As you appear to think the husband prevented further disclosures of the wife relative to the fire, and we now believe him to be the person against whom a complaint has been made here, you will make use of the information to get him or his wife to disclose all the particulars relative to the threats of firing this City. The thanks of this Com^{tee} are offered you for y^r intelligence

By order

[Signed] James O. Ward Secy

[Endorsed, incorrectly] San Fran Committee of Vigilance to
Lieut Derby Case of Samuel Church

Copy. To the Vigilance Com of Marysville June 28. 1851
To the Committee of Vigilance of Marysville

A day or two after the fire of the 22nd inst. a watchmaker by the name of Lee left here very suddenly with his wife & family—he pretended to have lost everything by the fire, but there is every reason for believing that all his jewelry was saved & has been carried by him to some place—As several parties here have lost their watches by him we desire that you will investigate the matter & try & obtain from him some information his wife or family are possessed of, concerning threats made by some of the customers of her cigar shop here, relative to the firing of this City. This Committee will correspond with you whenever any information comes to it serviceable to your quarter.

By order

[Signed] Jas. O. Ward
Secretary

San Francisco June 28/51

Dickerson Statement Case of Lee

Francis Dickerson Colored man— My watch was in Pacific near Stockton with M^r Lee an Englishman he had a wife & 4 children 10 or 12 days before fire I had p^d him for cleaning it did not go well I took it back.—I went there Friday before fire he said 't was not done but would be finished Sunday A. M. —I did not go being a fine day, until alarm of fire. At the

[June 28, 1851]

Alarm I rushed up got to his house front doors fastened. I pounded and pounded Saw nobody. By & By a big man came to the door from the inside—I told him I wanted my watch.—He told me the watches were all gone I looked around the place could not see watches as usual, nor cigars that were there, they were all gone. The man s[ai]d they were all gone long ago.—While I was getting grain out for another man living in the alley right back of Lee's house—Lee came along with 1 box of watch cristals. He says for gods sake hold on to these until I can get my children—I held it a little while until Mr Lee came along with 2 children. Says he I am going over to that Brick house. I did not see him any more for a half hour.—He saw me again Said help me out with my things. I ran up to get in his back gate. I got suffocated & came down alley—I met his boy night before last on wharf—he said his Father had lost all.—He said he was on North Beach—I asked him to show me where He would not do it—I told W^m Jones & left my people at breakfast—I went within 25 yards of the house he had rented—I heard from woman there that he staid only one day & went off in a hurry.

with trunks & all to Marysville. the woman said she had no doubt from his manner that he had carried all the Jewelry off—

Lee's wife said to the woman that they had only lost some blankets—

his

Francis A. X Dickerson

mark

[Endorsed:] gone to Marysville

[Report of Committee. Case of Scott]

The Committee appointed to dispose of the effects of the prisoner Scott would respectfully report.

That we have obtained all of his personal effects, that was left or that can be found since the fire of the 22^d inst and have brought them to the Committee Room. That we have collected \$44—and that we have the promise of \$61.50 to be paid on Monday next, which amounts comprise all that is due the man Scott that can be found by your Committee after diligent search. The

[June 28, 1851]

prisoner Scott has a house for which he paid \$175—and your committee have no doubt from offers that they have had for the said house that \$175 if not more can be readily obtained for it on Monday—all of which is

Respectfully submitted

[Signed] J. C. L. Wadsworth

“ Thos McCahill

“ B. Dexter

June 28th 1851*Thos Scotts Statement*

Statement of Mr Scott—Goods belonging to him in his house

One Trunk

One Large Chest one and half bags sugar in same
one silver watch one chest tea

One Small Box

One Box with lock never saw inside

6 or 7 old Bed—Blanket for same

Joiners Tools

Geo. Hopkins's Statement

Case of Hopkins

June 28th 1851

George Hopkins.³—I am the only man that has been with Government vessels—I know all the convicts.—C. Baker on board store ship—he was a transport for life boarded from Hobart Town receiver of stolen goods—Captain Gates he shot a man.—he was in a Schooner called the *Ospray*. Captⁿ. Candell has a shipping office.—he married a woman who was over the female convicts. Mr Austin keeps a shanty close by the house where a woman with wooden leg lives just past her house. has been a convict.—W^m Brown lives 2 or 3 doors beyond Martin's in Montgomery St—was a convict—Martin is a convict he is on board some vessel cant say where.—Willis—dont know where he lives.—Paddy Kelly was a convict sent to Norfolk Island twice.—last time Gov^r Phillip—Tall man with red shirt named Kelly. I

³ Hopkins was deported by the Committee. See voucher for his passage, No. 35, p. 780.

[June 28, 1851]

left(?) as Burns dont whether he is a convict.—knows a tall man black hair no whiskers dark complexion dresses as a Mexican. walks a little lame J^{no} Williams was a convict, 3 times 7 years.—I know 5 at Monterey

Flury McCarty.—a fighting man—Mr Shiffman[?] keeps a shanty. I know two Russels convicts. One round shouldered

I have not seen them here. Guest was one of the apprentice boys that got fighting with the man I was arrested for hurting—He was serving his time at yard. as far as I know is a good boy.—I dont know the partner of Jenkins.—I may have passed a remark about a man who saw Jenkins put a safe in boat. If I did point a man it was a turnkey of Hobart Town prison a sh^t stout man a man who wears a black slouched hat brim a little stiff dark complexion, dresses in light col^d frock coat, dark pants, small whiskers, from his ears down small featured man. I may have pointed out this man. I saw him pass by Mr Burnham's—I may have remarked that this man knew Jenkins. I think have seen this man with Jenkins. I knew him in Hobart after 4 years in irons at Port Arthur I think he was a companion of Jenkins.—I believe Burns was convict—

Evidence in Case of Hopkins

George Hopkins.—You work from Mr Burnham had been in this place six weeks—came from Hobart Town in the *Panama*—have been working for Burnham ever since—Never saw Jenkins till I saw him in San Francisco. Have seen him pass up & down Happy Valley. I have seen him drinking in little house. I might have spoken to him 5 or 6 times. House opposite Sherman[?] House.

Ralph Nichols.— I was at the house at the time Jenkins was hung Have never been to Scott's house—Tho^s Burns I know have been in his house—never saw Jenkins in Burns house—I was up there about a week ago to see about a man who took Mr Ramfords watch.—

Hobart Town left there 3 or 4 weeks since. I was not a convict—I did not work in ship yard—I was not one of the men. I was letting out a schooner called *Flying Fish* When I came

[June 28, 1851]

ashore to launch her there was some respectable people near schooner man there was blackguarding I told him to hold his tongue. He struck me. After I got up I had a fight with him. He took me to police office I was punished for it.—Never was in Burn's house but once. Have been in Uncle Sam one evening to have a glass of Grog.—All strangers to me in there.—might be half an hour. I drank with Marsh—May have seen Burns a score of times. I have seen him once at Uncle Sam & once at other house.—Dont know Hetherington.—I sleep at house opposite Mr Burnhams. Two men live in the house Fraser and me—Mrs Meyer keeps house—I have been at Marsh's twice.—Did not see Jenkins after he was hung. Knew Burns well in Hobart Town Cant say whether he had been a convict.—

Burns Knew George Hopkins. Sometime—Knew him to be a sailor on board government—He has been twice in the house where I am now—Never came there about a watch.—Dont think I ever saw him in house Uncle Sam—Generally came in several together. Does not know any thing about affair with a man when he was brought up for some serious difficulty—I know Dick Wilson was a shipmate of Geo. Hopkin's was a freeman very honest. Hopkins came in *Panama*. Jenkins had a tall slim man as partner no whiskers. Dressed black frock coat—black slouchy hat—Jim is his name—dont know Harry. I saw tall man Jim night before I was burnt out on Clarks Point. Jim twice at Uncle Sam. I understand he is at the mines Jim broke out of prison and went to the mines—Jim Wright is his name—Alick(?) tell all about him

Scott— Never have seen Hopkins

W^m Guest— On board Captⁿ Gates.—Just after I came out of the house from dinner I met Hopkins—Says he holloa I says "they hung a man last night" he says "no the buggers murdered him" he says "but there's a mob gathering together that'll settle them"—"the man would have got away all right but this is the man that was with him his mate" and pointed a head "he helped him lower the things down in the boat and then

[June 28, 1851]

he came away'' The man he pointed out was very pale faced about 5 foot 8. had on black coat blk hdkf.—shirt collar hidden. no whiskers—stoutish built. I never saw man before.—I have known Hopkins sometime. When first he was rigging a schooner we built in yard at Hobart Town. Sch^r *Flying Fish* he was a rigger. I dont know whether he was a convict—There was a row in the yard. Hopkins was taken up about injuring a man.—H. has been working at Mr Burnham's. I have only spoken to Hopkins twice since I have been here—Captⁿ Gates lives on board with his family on board the *Orator*—takes storage Dick Wilson lives on Clark's Point. was a convict.—I am sure Hopkins is one of a band I dont like to have him see me—Captⁿ Gates sailed from port to port at the Islands—I have known Capt Gates 4 or 5 years he resided at Hobart Town. was not married when I first knew him.—Captⁿ Gates has been here 6 or 7 mos brought down the *Isabella* Sch^r he owns the Storeship *Orator*—He has on board Flour and wine and Junk Beef all large lots.—All our goods come in Lighters—I knew Captⁿ Candell in Hobart Town he had charge *Water Lily* Sch^r Sometimes went to China Sometimes to Sydney. He is a married man. I think he was married in England.—His wife kept a school—Capt C. keeps a shipping office here—Capt Gates was mate of the *Ospray*. He always bore a good character. I knew Capt. J. Thomas he was mate of a vessel.

I know Baker by sight.—Tall man slim,—when I saw him, had on blue shirt navy cap. no coat He was pointed out to me by Captⁿ Gregg. I know Captⁿ Patterson dont know what he is doing—he used to command a vessel bringing cattle—his character was good. I know a man in Hobart Town a water man named Burns. pale in face short stiff, he was a convict—have seen him here have been in his house. He was free when he was a waterman—As a waterman I never heard anything bad of him.—Dont know Scott or Lavers or Hetherington—Burns I have heard was coxwain of convict boat—I came here night of fire of the 4th May—I know Mr^s Morton wife of carpenter

[Signed] William Guest

SATURDAY, JUNE 29, 1851

MINUTES

Proceedings [of Executive Committee] June 29, 1851

June 29, 1851. Morning session.

Present S. Brannan Schenck F. Woodworth Curtis
Bromley Brinley Gorham Spence Oakes Bluxom
Schenck in chair—Brinley secy.

Deposition of A H Reed taken respecting stolen property—.

Moved that it be given to Chief of Police, to make detail,
of sufficient men, and to scour Sydney Valley— passed—

Sam Church introduced—deposition taken—deposition of Wm
Gessner & Mann also taken—

Motioned that the depositions be laid upon the table until
a majority committee are present—passed.

Benj Robinson introduced, as being concerned in the last fire
of 22d June—¹

Ordered the arrest of Wm. Robinson and Mrs. Margaret
L. Robinson as being accomplice of Ben in setting fire to the house
on Sunday morning—

8 P. M. Evening Session 29 June 1851.

Present. Brannan Brinley Payran Graham Curtis
Ward Garwood McCahill Oakes Bromley Turner

Mr Brannan in the chair Brinley Secy.

Motion to read testimony of Ben Robinson. passed and
read.—

MONDAY, JUNE 30, 1851

MINUTES

Proceeding Ex Comm 30 June 1851

Ex Committee San Francisco June 30. 1851

Present Mr W L Bromley Schenck Oakes Curtis
I Bluxome Jr F Woodworth S Woodworth W T Coleman

¹ Benjamin Robinson, known as Negro Ben, was arrested by the city police June 28, on the charge of arson, released, and allowed to fall into the hands of the Committee. The final report on his case (p. 267), alleged that this was a plot, designed to hurry the Committee into action against Ben's mistress, Mrs. Robinson, whom he accused of inciting him to start

[June 30, 1851]

J C Ward Garwood McCahill S Payran

By request of Mr H P Jones report of Commt for the disposition of Scotts effects report received and committee discharged; Said committee handed over \$230 50/100 and Two watches. The funds & watches handed to the Sergt at Arms

Report of the Ex. Committee relating to Church the Horse thief.

Executive Committee. Monday morning June 30th 1851

Present. George Mellus in the Chair—Bluxome Oaks

J. F. Spence Curtis A. J. Ellis

To the Gen^l Committee—In the case of Sam^l Church arrested on the charge of Horse stealing.

Resolved, that while we are fully satisfied of his guilt we recommend that he be turned over to the Sergeant of Dragoons now in waiting that he may be dealt with as a Deserter from the U. S. A. or as they see fit—as we do not consider his case comes under our jurisdiction.—

Resolved that the Sergeant at Arms reimburses Mr Guissen a witness in same case for any expence he may have incurred in coming here at our order to give his evidence¹

There being no further business before the Committee it was accordingly adjourned—

[Signed] J. F. Spence Acting Secrty

MISCELLANEOUS PAPERS

Lt George H Derby. Letters. V. C. vs Sam^l Church

Sonoma Cal. June 28, 1851

Gentlemen of the "Vigilance Committee" San Francisco

By the return of Sergeant Mann this morning I received the gratifying intelligence that Samuel R. Church whose case I communicated to you the other day is now in your hands. I lose no time in sending down evidence to convict him. The man Ges-

the fire of June 22. This charge he retracted when confronted with Mr. and Mrs. Robinson, who were also taken to headquarters. All three were at length discharged.

¹ See voucher No. 123, p. 803.

[June 30, 1851]

singer who accompanies Sergt Mann, knows the horse well and recognized him when rode by Church, but he moreover was informed by Church that it was my horse, and that he had stolen him. I apprehend however that you will require no evidence but the man's own confession, as he always takes pride in boasting of his own villainous actions—

It was not to have this man arrested as a deserter that I applied to you. If turned over to the authorities he would receive fifty lashes & being then expelled the service, would be thrown loose upon Society free to prosecute his career of crime until finally brought up by you—My object was to prosecute him as a horse thief, and notorious villain generally before your body, with the hope and belief that on being convinced of his guilt you would promptly execute him and save society and yourselves much future trouble—This course I trust will be adopted—

Should you wish my attendance, or affidavit, by sending me a summons tomorrow morning by the little Steamer *Georgina* I will appear before you at once or forward any further evidence deemed necessary, according to your wishes

With high respect

Your Obedt Servt

[Signed]

Geo. H. Derby

Lieut U. S. Army

The "Vigilance Committee" San Francisco

Should you come to the conclusion not to execute this man, I shall be obliged to you if you will turn him over to the civil authorities as a horse thief, that he may be tried by them & I will appear against him, as though I should prefer to see an immediate example made of him if possible, yet if not I doubt not he would be treated with proper severity if left to the slow course of the civil law

[Signed] Geo. H. Derby

[Addressed:]

"The Vigilance Committee"

San Francisco

Cal.

By Sergt Mann

[June 30, 1851]

Description of the horse stolen from the Public Stable Sonoma Cal on the 9th of June, from Lt Geo H. Derby. by Samuel R Church. a deserter from the U. S. Army.

A large gray gelding, about 10 years of age, stands nearly 16 hands high, slightly dappled on his hinder quarters, and branded

U S

(faintly) on the left hip 2 D This horse was brought to the country by Capt R Campbells from Louisville Kentucky in 1848. For the last two years he has been well known as my property, and is the horse that I raced with the man "Maria" at Napa, in May last.

[Signed] Geo. H. Derby,
Lieut U. S. Army.

[Endorsed:] July 1st 1851 Lieut Geo. H Derby notified to appear and testify

[Signed] S Payran

Samuel Church's Statement

"Sam'l R Church" enlisted in Syracuse for during the war for general Services" Went from Syracuse to Gov's Island to Mexico landed at the Brases left Gov. Island about March 1st "teams ter." after arriving at Buena Vista was detailed to Shermans battery—Serve 16. Mos in same batery untill peace was declared, was marching for New Orleans, was discharged at Monterey—and reenlisted immediately, left July 25th 1848, The detachment left Carmargo for Monterey. heard of an attempt to explode a shell under Capt Braggs tent at Walnut Springs Was laying at buena vista and heard that several attempts were made to explode shells under several officers tents at Walnut Springs I was a prisoner in the guard house and was examining a cartridge and gardner picked. "Thomas Hackett", exploded shell and was sent to the States [Sic]

Church requested the presence of Mr Isaac Randolph, Mr. Schultz Mr McDonald Mr Cameron Will Boggs all residents of Sonoma

Sam'l Church—his Statement

About the 1st of April—I was a prisoner under punishment at the time—had ball and chain on at the time—made fast to a

[June 30, 1851]

post in the garrison—being no sentinel over me I made my escape—the blacksmith Thomas Douley, he cut the chain from my leg and left me free—this occurred about noon—no sentinel at the time on duty—I was chained in the coral, and as soon as the chain was off my leg I took a horse belonging to Company C—had no saddle snaffle bridle—mounted him and put out—on the road to Napa—Napa is twelve miles from Camp—had got about $3\frac{1}{2}$ miles from Camp—met Major Smith and Dr Campbell—recognized them—was not in the road when I saw them—came within a rod of them before I saw them—did not salute them—the Doct rode out and ordered me to stop—made no reply—did not stop—on a gallop at the time—did not quicken time when he spoke to me—do not know that Major Smith said anything—when they found I did not stop, they gave chase, and followed me to within sight of Napa—after this did not see them—crossed a creek about $11\frac{1}{2}$ miles above Napa—and struck on to a trail leading over the mountain—crossed over into Suisun valley—You went to Mr Guisner's house and staid all night—tied him to a tree to feed—arrived about sundown—Mr Guisner seemed surprised to see me there—asked what made me leave—replied that Sergt Daves was so obnoxious that I could not remain in the Co.—Mr Guisner advised me to go back—took his advice, and started back—after remaining nearly two days—started back for camp about noon the day after the one following time of arrival—You met Sergt Mann about $21\frac{1}{2}$ miles from Mr Guisner's.—I was going down the main road—saw him about 30 rods to the left on a path—stopped in the road when I saw him—I shouted to him and he road up—conversed with him a few moments, as to who was after me &c. told him I delivered myself up to him—do not recollect that Sergt Mann said anything to me—do not know that he was armed—did not present any—gave myself up voluntarily—he took me back to camp—arrived in Camp just after dark—put me into the Cook room—with a guard over me—think it was the next day in the afternoon that I was taken out, and again ironed me to a piece of iron about 40 foot long—could not work with this attached to me and they took about half of it off—was then employed about the stable—made the remark that if ever I got away again, thought they would catch me—told

[June 30, 1851]

them that I could not work with so much iron attached to me, and they took off this piece of iron

When the Company left Sonoma, they took me Benicia—think I remained there about a week, and effected my escape a second time—nothing but a chain on at the time—I was confined in the guard house at Benicia—has a porch in front—went out after a drink of water, between daylight and dark—Sentinel at the time walking up and down the porch—availed myself of the opportunity when the sentinel was at the further end of the porch to go out—started off on foot in the direction of Napa—had no money at the time—lost my way and got into the mountains—stayed there all night—and the following day about noon found myself beyond Sonoma—about sun down arrived there—went to a house called the 9 of Diamonds—Roger keeps the house—a hotel—there found my clothes, which I left there when the Company left Sonoma—had my uniform pants, six col^d blankets, 3 or 4 shirts—and a pistol—about 9 or 10 o'clock in the evening went to the Co^s coral, and found Lieut Derby's horse there—also another horse—dont know whether Lieut Derby was in town or not.—took his horse—and went to the stable and took a bridle from the outside—bridled the horse, and went to Mr Anderson's house on the square—keeps a livery stable—picked up a saddle in the road in front of his house—tree of an old Cal. saddle—saddle complete, took the saddle, as I took the horse—then went straight to Mr Geisner's—and arrived there about 10 o'clock—he said here you are again—yes—says I—and asked him where the best place was to get work—remained there about an hour or an hour and a half Mr G. accompanied me, part way on the road he pointed out a trail that leads to the road to Sacramento.—stopped that night near Cast Creek—the next night about sundown arrived in Sacramento—overtook a man on the road—subsequently learnt his name to be Green—was leading 4 horses into Sac^e fell in with him about 18 miles from Sac—the horses that he had called his own—was bringing them in from a ranche—keeps a yard for horses in Sac—on K street—wanted to buy the horse I had—told him I did not want to sell—went with him, put my horse up, and staid with him two or three [days]—and went about looking for work—could'nt get work, and pawned my

[June 30, 1851]

watch for \$10 to Green—silver watch paid for clothing and feed of horse about \$8—sold Green the horse for 85—sold saddle & bridle to a stranger, for 16 \$101 told him the horse was my own—the purchaser asked for no bill of sale—remained in town about two days after sale of horse &c.—Thought I'd go to Stockton—went to horse market and bot a horse for \$68—took a bill of sale—called myself W^m Snow and bill of sale was made out in that name—sold the horse the next morning to a stranger got \$67 for him—sold at auction—gave bill of sale for him—saw Mr J. B. Cole, who advised me to go to San Francisco—thought I could get work there—Green asked me “how long I had owned the horse” “told him about a month”—intended if I procured work in Sac. to send the horse back—left the next day for S. F. in the “*Confidence*”—the 2^d day after my arrival here obtained employment from Mr Potter of the Steam “Paddy”² You went to the Atlantic Hotel—Central Whf—have been boarding there up to the time of my arrest—Went to Stockton immediately after my arrival staid there one night and returned—then found employment with Mr Potter—

A cook to the officer's mess named Henry at Sonoma had a dark bay horse—branded with two S's W+O—he turned him out to feed and lost him—he offered \$25 reward for his recovery.—I told Henry that I thought I had seen the horse—saw a man riding in the town on a horse which answered to the description of Henry's—a Californian—the mans name is Geo Spence—lives about 2½ miles from Sonoma on a ranche—no acquaintance—Henry said d—n the horse, I have offered \$25 for him and can't get him—asked him if he would give me the horse if I got him—he said yes—gave me the brand—told Sergeant Whitehorn if he could find the horse I would give him half—we went out together the next day, and could not find him About a week afterward a boy in town—named W^m Ray, came in about sundown and thought he had found the horse—saddled my horse went out and helped drive him into the coral—kept him two or three days and traded with Sergeant Whitehorn—told Ray I would give him half to find him—gave Henry's

² The steam paddy was a machine used for excavating, and for cutting down the sand hills.

[June 30, 1851]

horse to Whitehorn, for a horse that Whitehorn had, and \$20 to boot never rec^d the \$20.—Whitehorn was to pay Ray his share—sold the horse I got of Whitehorn to Anderson for \$30—

John Mann's Evidence. V C vs Samuel Church

John Mann— I know Samuel Church I know he has stolen 3 Horses one horse was stolen from Company C. U S Dragoons about April last—another was stolen and sold to Robert Anderson, Sonoma was afterwards claimed and delivered was hired to L^t Derbys servant by Anderson and went to Napa and was taken there—Another was stolen from L^t Derby Typographical Engineers—I know that he stole them and was seen with them in Sonoma—Samuel Church was formerly a member of Company C U S Dragoons—S Church is known to be a thief all through the company—Mr S Church has deserted from Company C twice—Guisner a farmer in Suisun Valley, saw Church with Lieut Derby's Horse at the time he stole the Horse

Mr Davies the orderly Serg't of C^o C was knocked down and kicked and injured so badly that he was not able to arrest him—by Church and his confederates—I arrested him with one horse and took him back to camp at Sonoma

[Signed] John Mann

Serg^t Mann, States About a week before his 1st desertion, he was sentenced to extra guard for bad conduct, he refused going on guard, and smashed the carbine, and drew the sabre and cut the post with the sabre and swore that the first man who attempted to stop, that he would run him thro^o.—He then threw the sabre down and ran up the "9 of Diamonds" House—Sg^t Davies and private Beane went after him—when he saw them coming, drew a pistol and fired one or more shots at Davies—have heard him say he would kill Davies—they went back, armed themselves, returned and arrested him—carried him back into quarters. He was put up stairs with a sentinel at the bottom to keep him there—my room was an adjoining one to the one Church was in—I was lying ill at the time in bed—he came into my room, drew a sabre which was hanging up on the wall, and commenced flourishing it about, breaking some glass and cutting the door—

[June 30, 1851]

I cried to the Sentinel—"to take the man out"—he swore he would run me thro^o. and came towards me, I seized a carbine and told him I would shoot him if he did not lay the sabre down.

The sentinel hearing the noise, came up when Church dropped the sabre—Sentinel knocked him down—subsequently the guard took him away and when I got out of my room, found him chained to a post—during the time he was chained he uttered many threats against Sgt Davies life—believe that Lieut. Stollman ordered hand cuffs to be placed upon him—went in to dinner, and the prisoner was left alone,—coming out from dinner saw prisoner on a horse going off.—about 12 o'clock in the day—The Blacksmith was not in at the mess at the time I was. Asked Blacksmith how he got the irons off—did not know—came to the Country by water—*question by prisoner* thought he was in liquor at the time—*same question to Geisner*—believe him drunk

[Signed] John Mann

W^m Gessner's Evidence. V. C. vs Sam^l Church

William Gessner lives in Suisun Valley Knows the prisoner "Church" The latter part of March last near sun down met Church with a gov^t Horse Bridle & no saddle, and he stop with me Two nights I learned from him he had deserted and asked him what he was going to do. I found that he was irresolute and advised him to go back, and give himself up. and he promised to do so and started on the way towards Sonoma"

About 3 weeks ago I was drivin Horses toward my correll and found Church standing near my house and asked him what horse he had and answered it was L^t Derby horse of the Top. Eng. and asked him whether the officer had done him any injury that should steal his horse and he said no. He asked me if he could get any work in the Valley—The Horse was marked very plainly with the branding iron. Mark was "U S" The distance from

D

my place to Sonoma was Twenty five miles and from the time Church said he left and when I met him it appearing he had ridden hard and the Horse was not fatigued and think him to be a very valuable horse I knew Church coming through from

[June 30, 1851]

Mexico he acts were noted wore a wooden badge marked "Thief" and was very troublesome during the March in coming through the San Joaquin Valley "Church" shot his horse with his carbin was sentenced to eight months imprisonment I heard that he shot at Serg^t. Davis at Sonoma and think his character is bad

S K Moore's Evidence. V C vs Sam^l Church

Samuel Moore I know Samuel Church I know that he fired at one of the Serg^{ts} he was tried by Court Marshall and condemned to serve out his time in irons and escaped with his irons on—the time he had to serve was about 3 years—and then to be drummed out of the Regiment—Major Leonard told me that he stole a horse and desired me to arrest him and report to him of his arrest—

[Signed] S. K. Moore
at Captⁿ Folsom

[Case of the Negro, Ben Robinson]

Statement of Benj. Robinson— Have been living in San Francisco about one year and a half—have been living during my stay here up to time of fire with W^m & Margaret Robinson—live near the North Beach—since the fire—lived on Pacific St. above Stockton on the right hand side previously— She is a washwoman—her husband collects the clothes—her house was situated about 60 yards from the fire—lived there about three weeks—moved from the right hand of the street to the left hand—near where the fire broke out. fire broke out about 9 o'clock in the morning I was in Mr Robinsons yard at the time taking my breakfast—

The morning of the fire I was sleeping out in the yard—Mrs Robinson came down and woke me up—about sunrise—and asked me if I had done that thing—I told her "no", and that I did not want to have anything to do with it—she told me if I didn't do it, that she would split my head open—and laid hold of an ax. told me to go at once and fire the house—so I started off, with some matches in my pocket, and strolled up street to a house next to one owned by Mr Kirby, in which Mrs R—had lived pre-

[June 30, 1851]

viously—went along side the house, and dropped some matches into a quantity of shavings lying near the house think it was about an hour before the bell rang for fire, that I dropped the matches—I then went back to get my breakfast, saw Mrs Robinson inside—she asked me if I had done what she told me—I said yes—she ran upstairs at the sound of the Bell and sung out to me to come upstairs and get the things out as a fire was coming down upon the house—she saved all the things—have been on very familiar terms with her she has flogged me . . . She said she would pay me if I would set fire to the building—never have received anything—

Mrs Robinson stole a trunk belonging to Mrs Bosley during the fire—

I was arrested on Thursday last at noon by two police officers—never saw these officers in Mrs. Robinsons house—the officers told me they heard Mrs. R. tell me to fire the house, they took me to the station house—they said they would clear me but wanted me to punish Mrs. R.—they said they listened at the window and heard the conversation inside had previously lived in the house I fired & was turned out—she had a grudge against the owners & said she would “pay them off”—Mrs. R. has great influence over me—I never stole for her—She had me arrested once before . . . I was taken to the station house on Sat. night & was discharged Tuesday morning—

I cannot read nor write & have no education

Mrs. Robinson is a prostitute—I believe she has had no child lately, although she says she has—Gov Shannon carried home some money belonging to me for safe keeping till I get home—I feel very sorry that I set fire, I want to go right out the Country at once—I am afraid of my life from the mob—

Mr. Robinson knew nothing about what Mrs. R. had told me—Mrs R. often fights with her husband—

The officer who arrested me promised me a suit of clothes & \$200 if I would tell the truth about Mrs Robinson. After the fire Mrs. Robinson met me & said, “Well we wont have any more fuss with the cursed d—l—his house is burned down now—

Cross examination—When I went out to fire the house, we had

[June 30, 1851]

had no breakfast there was nobody in the street—I was gone fifteen or twenty minutes—

I am not a slave was set free since being in this Country—David Connolly was my master—John Connolly was his brother—he is known to Mr. Bromley of the Committee—

Statement W^m Robinson— My wife's name is Margaret L. Robinson—*sworn*—If I was going into eternity at the next moment, I could say, or know nothing respecting the fire 22d of June—I was in my house when I heard the Bells ring—had been out previously, and had been back about 15 minutes to half an hour. Had a old man living with me named Ben—had no suspicions that Ben was the incendiary—drank sometimes—once took him to the Station house for taking liberties with my wife—2d time took him to Station house, for using insulting language & bein[g] tipsy—returned Saturday night to bed at about 10 o'clock—left my wife up with Mr Davis—helps the grave digger—She went to bed about ½ past 10.—generally rise about six o'clock—wife rises early—found her up on the morning of the fire—Ben was there off and on—during the morning—went to carry some clothes—Ben slept in the Yard Saturday night—give him his board. dont pay him much—wife got up about six o'clock Sunday morning, I think—saw Ben there when I got up—Ben was in the house when the Bell rang—I was sitting at breakfast table—got up— . . .³ I jumped up & said I would see where it was. She (my wife) said that there was fire & that I had better move the things out—I said let the things be I would go and see where fire was She thought I had better move the things out.—I think they had not moved things out when I came back. I only went a few steps. I think fire was coming from top of house. 'twas all in flames when I saw it there were several French people about—when I came down stairs early in morning I think I saw Ben in yard.—As soon as I saw fire I went back & commenced getting my things out.—I took my things by side of Powell St.—I have 4 trunks.—I moved them on hill near where some of the Committee lived—The Frenchman⁴ had things moved

³ The MS is here somewhat confused, owing to a change of reporters.

⁴ See Petition of Victor de Gray, pp. 210-212.

[June 30, 1851]

with mine. All I had was 4 trunks.—There was one trunk more—did not belong to me— That one was taken back to Mr Woodruffs building—I told Police officer there was other things belonging to Frenchman. That trunk was put in house on corner, Mr Woodworth's Ben would drink. Sometimes behaved bad & was saucy. I have ordered him away.—I have confidence in him sufficient to send bundles by him.—I think he would lie about drink. I thought sometimes he had liquor & he would lie about it.—I think he was honest He was very prompt to do anything. he obeyed always.—He would mind my wife quicker than he would me—I have seen my wife flog him—He used to be afraid of my wife.—I rented a house before fire of Mr Kerby.—I rented by the month—I never had what you called a difficulty with him.—I made the bargain for house & my wife too—She didn't do all the talking herself.—She says here how do [you] want the rent. he says in advance—She says we are short & asked if it made a difference he says no—I was to pay \$70 per month—I remained there for one month—I rented out a part of it.—I never had a dispute with Mr Kirby—Mr Kirby turned us out in consequence of fire said he wanted house—He sent Mr Bennett to us I had not paid rent. He said he wanted house before month was out.—My wife spoke to Mr Bennett & Mr Kirby both—She spoke pleasant to Mr Kirby—he said he gave Bennett an order to get rent.—She told Bennett that we had hired house by month—Once I brought down my pillow from his room he spoke cross about it.—I said I knew nothing about his pillow.—All passed pleasantly My wife felt a little mad about the pillow business.—Ben has been living since in house opposite where I live.—He has not lived with me since fire except one night. the night of 23d June—He has been at my house since fire—I never heard him speak about fire.—

[Signed] Wm Robinson

Mr. Hartford Joy. I am member of Committee.—Sunday morning, dressed and was going to Church. I went to church near P. O.—I passed by man reading newspaper.—I passed by near where fire was near E. Church & then I heard man cry fire.

[June 30, 1851]

I saw where it was & saw smoke issuing from East corner—I was 2nd man that hollered fire. went [when] I got down there (which was about 600 feet from where I stood) I saw a door open & 3 men taking a table out of house on fire. But few people about.—I then went on hill & saw roof saturated. I saw no stove pipe.—I asked the man how fire caught in your attic he said 'twas not in his house—he said his servant found all his house on fire.—I am sure fire caught in his house It could not have been 6 minutes after the man called out fire that the whole building was on fire. I do not think the fire could have caught from below because men were passing things out of 2d story while roof was falling in—I feel confident the fire was in attic—I was on west side of house—The house below was not on fire. Neither first nor 2d story were on fire. East Gable end was first on fire. About two feet from end. I thought first 'twas stove pipe.—One side was kind of stable. South side—Lot of Lumber on west end of house—Low shanty East end close to it.—

[Signed] Hartford Joy

W. L. Kirby. Last house on Pacific St. between Stockton & Powell there is a 100 vara lot between Powell & Lot with about 100 feet Lumber on it.—My stable was at back of it. On morning of fire 'twas about 9 o'clock when I went out past this alley to stable. while seeing to cleaning of saddle and horse—I saw negro man that had been living with Mrs Robinson. He was on opposite side of Pacific St & seemed to be watching me. I got on my horse and rode over to my breakfast a little beyond Dr Ver Mehr's Church.—I had just arrived there & was watering my horse when I heard the cry of fire.—I ran over to house.—went up stairs found 2 garrets particularly the back one on fire.—I presumed at time that fire originated in that spot, altho it might have begun below. The side next carpenter shop was not weather boarded, but lined with his Lumber & papered over cotton.—The fire might have started in the shavings underneath the shop & burned up—there was a space of 3 in. between shop & house—I did not see any fire in lower part of house when I went in. Down below 'twas weather boarded on inside I did not see any

[June 30, 1851]

fire on canvas. Only saw fire in attic. I was not away from my house 10 minutes I dont know that the fire could have communicated to the attic in 10 minutes—Delessert occupied the part 2 & 3d stories including attic in front—Myself & partner occupied balance no one was in our portion of house the morning of fire. Dont know who was in Mr Delessert's house morning of fire Fire did not begin in Mr Delessert portion of house No stove in house—no fire used in house—I suspected the negro of setting fire 2 or 3 days since in consequence of living with the person he does—I once arrested him because he was climbing over the fence at night about 9 o'clock—He gave no reason for being there I let him go—On Sunday he had no bundle he was going up Pacific toward Powell—I never had words with Mrs. Robinson respecting rent I gave her up the rent—Mr Bennet was in San Francisco when house was rented She didnt move for a day or two after the time expired.—I dont suspect the parties of wishing to fire house from Revenge—I did suspect the negro & had him arrested. When they moved out she had no furniture of any value—she rented out all house except one room—Was in house 5 minutes none of rooms down stairs were on fire—smoke down stairs—There were 2 or 3 persons in house when I arrived there.

[Signed] W L Kirby

W. W. Colwell— My testimony is I was walking to church—I passed along up Pacific towards Dr Ver Mehr's church as we were opposite to upper house I heard cry of fire smoke was seen by others coming out of upper part of house—I immediately looked across street to the upper front window & saw the fire running along what I took to be cotton lining ceiling from East to West—There I noticed a person desirous to enter front door which was fastened inside—I called to burst door open He again shook door & a person opened it from inside—I dont know parties. I passed into alley & got water & passed one pail up into upper door—I did not enter house. I then walked toward our church—when I first saw fire it seemed to be on side near carpenter shop.—

[Signed] W. W. Caldwell

[June 30, 1851]

W. L. Bromley.— On Sunday when I was sitting in S. at Arms room—heard alarm went [when] I got to fire the carpenter shop was more envelopped in flames than Mr Delessert's house so much so that I asked how e shop caught on fire they said it had caught in house next.—fire had not got to West end of house East end was in flames—A light wind was blowing.

Margaret Louisa Robinson.— I dont know anything about origin of fire 22 June—I have had a man named Ben in my employ a negro—he is not now in my employ—he was living with me last Sunday—he was in my house or entry or yard when bell rung for fire.—I did not hear him say anything about fire. I was ironing at time.—I was up at 6 o'clock that morning. My husband was in house when bell rung—he was just setting down to breakfast—he rose when bell rung—I think the Dr was first person who heard bell.—My husband went out & all the rest of us—I looked out only—Fire was on Pacific Street—A Doctor was there—I lived on first floor—I went across the street & saw the fire coming out—I heard 'twas in Pacific St.—I think 'twas Mr Kirby's I saw on fire or the next building.—The whole one side of house seemed to be on fire—it seemed to be all enveloped in an instant. 'twas the end near the Bay that was on fire.—I supposed both were on fire. buildings are very near together. when I got back the landlord came in Col Whiting to assist Col W. & several others helped get the things out.—It seemed to me that it must have been the work of an incendiary, but I heard the french gentleman made coffee with spirits & that it caught from that.—Ben was saucy to Mr Robinson but I always put him down—I believe Ben was honest. he washed—I paid him lately 30 dollars.—I pd him 3 weeks at the rate of \$100 I dont thing anyone could manage him as I could. I never suspected Ben of setting fire to this house—I never suspected him of stealing—but heard a Dr say he had stolen \$30 from him. Sometimes he took a little [of] the change when I sent him for anything.—He came to this country with Mr Connolly over the plains I dont know whether Ben has sent money home altho he says he has sent money to Memphis—When I first saw him

[June 30, 1851]

'twas at the Marine Hospital—Sheriff Town recommended him—Ben was with me in Dupont Street—was with me in San Jose—I used to strike him sometimes—He would sometimes use vulgar and profane language—I lived in Pacific St. one month—in house that was burnt.—I never heard Ben brag that he had set house on fire.—I never heard him express any animosity toward Mr Kirby—Mr Kirby desired Mr Robinson to prevent the nigger from crossing his lot— I had not the least reason to beleive that he would dare or be wicked enough to set fire to a building.—My husband said “ther’s a fire I’ll go & see where it is.” I said hurry and see where it is—Dont know whether Gov Shannon took home money to Ben’s family—I did not lose much at the fire I had not much to lose—I lost \$323 and 1 gold button—I carried it to Mrs Jack Hays—She took it—Afterwards I got it again—then I carried it to Mr Woodworth’s room & I counted it in his room—I afterwards had it stolen from me.—The money & pocket was all gone—I lost it near this house—I was walking down with Capt King. I should like to be able to give you information respecting fire—I believe Ben to be pretty honest excepting about change, of which I spoke—There was a yard attached to my premises—Ben slept upstairs afterwards he slept one night in shed ’twas either Thursday or Friday or Saturday

I think Friday or Saturday night. Ben always got up at daylight. I sent Ben twice at night to take clothes to Blackman—I dont remember sending him anywhere on Sunday morning.

Ben Robinson brot in— I have no boarder—One young man has staid there—I may have sent Ben to Grocery but not with clothes—I dont know but tis likely he was sent on Sunday to Grocery—I think I sent him to Grocers—Ben went to bed before I did on Saturday night in yard.—I might have told him to make a fire in the morning—

Ben Robinson says that Mrs Robinson never told him to set the building afire.—I did not set fire to the building—A man told me that he would pay me The man was an officer—(Harding)

[June 26, 1931]

twice at the Marine Hospital—Sheriff Town recommended him—
 Ben was with me in Dupont Street—was with me in San Jose—
 I used to strike him sometimes—He would sometimes use vulgar
 and profane language—I lived in Pacific St. one month—in house
 that was burnt—I never heard Ben say that he had set house
 on fire—I never heard him express any animosity toward Mr.
 Kirby—Mr. Kirby desired Mr. Robinson to prevent the nigger
 from crossing his lot—I had not the least reason to believe that
 he would dare or be wicked enough to set fire to a building—
 My husband said "there's a fire I'll go & see where it is," I said
 hurry and see where it is—I don't know whether Gov. Shannon
 took home money to Ben's family—I did not lose much at the
 fire—I had not much to lose—I lost \$323 and I gold button—I
 carried it to Mrs. Jack Hays—She took it—Afterwards I got it
 again—then I carried it to Mr. Woodworth's room & I counted
 it in his room—I afterwards had it stolen from me—The money
 & pocket was all gone—I lost it near this house—I was walking
 down with Capt. King—I should like to be able to give you
 information respecting fire—I believe him to be pretty honest
 excepting about change of which I spoke—There was a yard
 attached to my premises—Ben slept upstairs afterwards he slept
 one night in shed—twice either Thursday or Friday or Saturday
 I think Friday or Saturday night—Ben always got up at day-
 light—I sent Ben twice at night to take clothes to Blackman—
 I don't remember sending him anywhere on Sunday morning.

Ben Robinson first in—I have no brother—One young man
 has staid there—I may have sent Ben to Grocery but not with
 clothes—I don't know but his theory he was sent on Sunday to
 Grocery—I think I sent him to Grocery—Ben went to bed before
 I did on Saturday night in yard—I might have told him to
 make a fire in the morning—

Ben Robinson says that Mrs. Robinson never told him to set
 the building on fire—I did not set fire to the building—A man told
 me that he would pay me. The man was an officer—(Hearby)

[June 30, 1851]

G. K. Winner. testimony in Ben's Case June 30 1851

"George K. Winner," lives near the corner of Stockton & California Streets, Knows the Black Man Ben . . . I know that Mr^s R. has had the man Ben under perfect control, and that he would do anything advised by Mr^s R. he has been employed by me at different times, and during the days work would stop and say that Mr^s R. wanted him

[Signed] Geo. K. H. Winner

San Francisco June 30 1851

Report of Commt on Effects of Tho^s Scott

The Committee appointed to dispose of the effects of the Prisoner Scott would in addition to their report of Saturday evening last most respectfully add,

That they have settled up and disposed of all the prisoners effects and have received in cash \$230 ⁵⁰/₁₀₀ for the same, which the prisoner says is perfectly satisfactory—There being nothing farther for your committee to do they would beg leave to be discharged—

Respectfully Submitted

[Signed]	J. C. L. Wadsworth	} Committee
"	Thomas Mc Cahill	
"	Bela Dexter	

[Endorsed:] accepted June 30/51

Receipt of Sergt at Arms for the effects of Tho^s Scott

Received June 30th 1851 of the Executive Committee Two Hundred and thirty dollars ⁵⁰/₁₀₀, also two watches belonging to Thomas Scott, which property was returned by Committee for use of said Thomas Scott, and now placed in my hands for further order

[Signed] A. Jackson McDuffee

John Morris. Testimony June 30 1851. Case of one Clay

Mr John Morris states— Clay kept a brothel in Sydney— Was sent to Sydney as a Convict—Probably his term had expired when he left for this place. Left Sydney in April about the 7th 1850, and arrived here either the last day of June or the 1st of July in the Ship *Una*—Was proven to be a thief on the

[June 30, 1851]

passage. having been caught stealing and in every manner proved himself to be a villian on the passage. He is connected with a band of robbers Scott & others at this time. Is one of the ringleaders.⁵

Before the hanging of Jenkins this man lived in Montgomery St^t next door to the Merced Mining Companys office say a few doors south of Bush St^t on the right hand side going south, kept a grogery and brothel, a rendezvous for thieves—Since that he has disappeared until the morning of the fire of the 22^d June when deponent saw him near the head of Montgomery St^t on the hill, apparantly in charge of a parcel of Boxes & trunk—Enquired and understood that said goods belonged to Hall who is now in prison charged with the drugging of an indian—

Said Clay is a man about 6 feet high Straight, pale villianous countenance—no whiskers—wears greenish pants Sack coat and a black soft California hat. Dresses rather genteely—

John Morris— I knew Mr Clay on his passage from Sydney to San Francisco by ship *Una*—he had a very bad character on board—he was connected with and accused of theft and riotous—he was seen to pass wine through the port hole as search was taking place—The *Una* left Sydney on the 7 of April 1850 arrived in San F on the last day of June 1850. I took particular notice of Clay at the time of the row on board ship—upon many occasions I noticed him as a most violent desperate character—he follows no laudible employment here for a living—is an associate of Scott and others of the worst characters—he left here about the day of the death of Jenkins—I again saw him on the morning of the last fire, the 22^d of June—I inquired whose property he was with and learned that they were Hall's the same man now in prison for the murder of an Indian named Frank Brewer—Clay was intimate with Hall on the passage—dont know that Clay lived on north beach Know that he lived in Montgomery St near Bush st—A man by the name of Gilligan told me he was robbed of several hundred dollars

[Signed] John Morris

San Francisco June 30, 1851

⁵ William Clay, a Sydney convict, was implicated in Whittaker's confession, arrested by the Committee and sent out of the country.

[June 30, 1851]

M. McCloud. Testimony June 30th, 1851. Case of Mr Clay

Niel McCloud I know Mr Clay he lived next door to me on Montgomery—I have never spoken to him—Mr Brennan came to my house one evening and three men came out of Clays House and insulted Mr Brannan—I gave two of them in charge of an officer—one by the name of Ray escaped from the officer and went back to Clays house and was arrested afterward I appeared at the Recorders Court the next morning and they were each fined \$20 from what took place before the Recorder it is my firm belief they were there frequently—I saw Clay this afternoon he passes my house two or three times every day—Clay keeps a woman known to be a prostitute in the Colonies—three or four days after the death of Jenkins she left him he then sold out his place and went to Sacramento but has since returned—Ray has since been in Prison and in double irons for assaulting a Frenchman in Prison—Clay kept a house of notoriously bad character—

[Signed] Niel McLeod

San Francisco June 30, 1851

Thos Burns. request June 30 1851

Thomas Burns— states that Frederick McCan—Known as Fred the Boatman sold to me a watch for thirty dollars which he bought of Mr. Lavers for 28\$ he came to me on the morning I was arrested and asked me for the watch he had sold me—and that he would bring me the thirty dollars in the evening—which he did not but left for the mines immediately—has a scar on his neck—

[Signed] Thos Burns

Hobartown

San Francisco June 30, 1851

John Hennesseys Statement

John Hennessey. Knows Betsy lives in same house Mr Curtis formerly lived in on Broadway—Mr Curtis formerly kept a livery stable—Knows Betsy to have been a convict—has not served out her time—lives with Mr Radford—Mrs Radford formerly had Betsy in her employ as a convict servant—W^m

[June 30, 1851]

Brown also lives on North Beach and is a thief—believes he would steal with the gallows before him—Knows Mrs White to be a convict also lives on North Beach—

San Francisco June 30, 1851

TUESDAY, JULY 1, 1851

MINUTES

Minutes of Executive Committee July 1st 1851

At a Meeting of the Executive Committee on the First day of July 1851 there were present S Brannan G. L. Garwood George Mellus E Gorham Isaac Bluxome Jr George Oakes Charles Brindley W. L. Bromley David S. Turner G Schenck James F. Curtis Stephen Payran
S Brannan Chairman
Stephen Payran Secty

In the matter of John Smith charged with Larceny, it was ordered that a certificate of an Honorable discharge be granted him Certificate Awarded

Statement of H. P. Jones read

Resolution of George Mellus

That it is expedient to get official information as to name of officer who made the arrest of the Negro Ben, the reason why he was arrested, why he was discharged, and by whose order the discharge was made. Resolution adopted.

On motion that the Chairman appoint a Committee of three to make the inquiry the Chair appointed George Mellus, Isaac Bluxome Jr and Stephen Payran said Committee

Resolution of Mr Watson that the likeness of all Persons under order or sentence of Banishment be taken and preserved and that a Committee of one be appointed to wait upon the artist, Mr Watson was appointed

Reconsideration of vote passed in respect to giving Chief of Police Five hundred dollars for secret service money The order rescinded in favor of Captain of Police for "Secret service money"

[July 1, 1851]

Report of George Mellus, Isaac Bluxome Jr and Stephen Payran as to arrest of Negro Ben by the Police accepted and ordered to be placed on file for action

In the matter of Church, the Evidence of Francis Schultz taken

Report of William H. Jones in relation to Edward Allen ordered to be filed Report filed,

Adjourned

[Signed] S Payran

MISCELLANEOUS PAPERS

Report of Executive Committee in the Case of John Smith

In the Matter of John Smith arrested on the charge of Larceny in Stealing a Mirror we would report

That the Executive Committee have examined the said John Smith, as well as taken the Evidence of Witnesses for and against him and are fully convinced that the said John Smith is innocent and free from the charge of Larceny & is a good and useful citizen of our city, and would recommend him to the kind consideration of all good citizens, We have further awarded that if the said Glass shall be reclaimed by its proper owner, that the Sergeant at Arms shall receive fifteen dollars for the use of said Smith.

In consideration of all things touching said J Smith, your Committee honorably discharged the Prisoner with a recommendation to continue to do well

[Signed]	George M. Garwood	[Signed]	George Mellus
"	Isaac Bluxome Jr	"	G. E. Schenck
"	Geo J Oakes	"	James F. Curtis
"	W. L. Bromley	"	E. Gorham
"	J. F. Spence	"	C. H. Brinley
"	Stephen Payran	"	Jas. C. Ward
"	S Brannan	"	C. H. Brinley
"	R. S. Watson		

John Smith's Statement

John Smith, Ex^d in relation to a Mirror I took the mirror out of a House between Long Wharf & Washington Street on

[July 1, 1851]

Montgomery Street, near Annan & Lord's—I took it up to the corner of Montg & Pacific Sts. I left it until next day. I then took it up to my own house in Pleasant Valley—I kept it there until I left it and then placed in it Robert Colin's House. I resided there as a Boarder,—I called on Montgomery Street near where I took the Glass and inquired for the owner (an owner) I spoke to Mr Weston about it, I took the glass on the 4th May Fire, I never advertized the Glass, I did not advertize it because I had no money at the time, I never said that I intended to appropriate the Glass to my own use in case I could not find an owner.

I have lived in San Francisco nearly two years, I am a native of England. I have never made a declaration of Intention to become a citizen of the U. I came from Liverpool to California, I have always been employed at labor. I have worked for Capt Folsom also Mr Miggs also Mr Monroe—

[Signed] John Smith

*Edward A Lambert & E D Whiston's Testimony
in the Case of John Smith*

Edward A Lambert live at lower end of Pleasant Valley—I know nothing of the looking glass except from hear say—

E D Whiston—I know John Smith he came into my store one evening and stated that he had a looking glass and if I heard any one enquiring for one let me know or tell them where I am—as I am anxious that the owner should have it—If no owner should come I might as well have it as any one else

[Signed] E D Whiston

San Francisco June 30 1851

Elijah Swift. Testimony in the Case of John Smith

Elijah Swift— Mr Munson told me on Saturday night that a mirror was secreted at a house on the top of the hill near Howard & Fremont sts About 8 or 9 o'clock Mr Beese & self went into the house and after looking around discovered the glass under a mattress I called the attention of the family to it &

[July 1, 1851]

they told me Mr Smith brought it there on monday after the fire of the 4 of May—After keeping it in the small house for some little time he moved it to the house where we found it—

[Signed] Elijah Swift

[*Ben's Case*] *Statement of H. P. Jones*

H. P. Jones— To be found at Cobb & Cos—On the Corner of Merchant St & Kearny I saw D C Broderick & Marshall Crozier who were holding a conversation—Mr B said—We must tell the boys not to act the d—d fool as the plot or plan may be suspected—some other conversation occurred which I did not hear—the last conversation was—Mr C said—he is a d—d fool & he should not have been trusted—My impression was that these were concocting some plan to the injury of the Committee of V and the public good—This conversation took place on Monday morning June 30, 1851 On Sunday previous Mr Jones had a conversation with Mr Crozier—in which Mr C stated that there were many d—d rascals among the V Committee—and that it was the duty of the Police to rescue prisoners from the V Committee—

San Francisco July 1, 1851

[Signed] H. P. Jones.

Report of Committee in relation to arrest of Negro Ben &c

We the undersigned having in accordance with the following resolution of the executive committee of the "Committee of Vigilance been appointed to act—"That it is expedient to get official information as to the name of the officer who made the arrest of the Negro Ben the reason why he was arrested why and by whom he was discharged—Do report as follows

Having called upon Marshall Crozier and having been received by him with due respect and Courtesy enquired as above as to the arrest and discharge of said negro. He answered that said negro was arrested only on suspicion of his being an evidence against the party who was suspected of having set fire to the city on June 22nd 1851—but failing to obtain from him any

[July 1, 1851]

tangible information he was discharged informally and as he was arrested for no crime that they had no authority to hold him

Arrested by Capt Harding	}	[Signed] Geo. Mellus—Chairman
discharged by Capt Harding		“ Stephen Payran
pr order of Marshall Crozier		“ Isaac Bluxome Jr

[Endorsed:] Accepted and ordered on file for action July 1st 1851

Francis Schultz. Testimony in Case of Church

Francis Schultz.— I have known Church for about 1 year have seen him almost daily at my store—I never have known of his committing any bad act during his residence in Sonoma—or only excepting when drunk which has been only 3 or 4 times—about 4 mos ago he was drunk—commenced to row with soldiers broke his gun & when Serg^t tried to arrest him fired a pistol at him—before he was tried he made his escape & was retaken. After that he was tried at Benicia sent to Sonoma

He was then put in irons & set to work—It is my impression that there is a hard feeling against him among the officers

[Signed] F Schultz

Report of Committee in the Case of George Hopkins

In the Matter of George Hopkins Re examination;

Hopkins refused to make any further statements alleging that he knew nothing further, of the matter,

The Executive Committee are of opinion that George Hopkins should be sent out of the Country being fully impressed with the opinion founded on Hopkins knowledge of and association with abandoned men, to be a dangerous man in our community, and therefore present the case with Hopkins examination to the General Committee for action

The Committee further recommend that the Sentence of Banishment be passed on said Hopkins, under an injunction that if he ever return to the State of California he shall be punished with Death.

San Francisco July 1st 1851

In the Matter of George Hopkins
His examination.

Hopkins refused to make any further
statements alleging that he knew nothing further of the Matter.

The Executive Committee are of opinion
that George Hopkins should be sent out of
the County, being fully impressed with the opinion
founded on Hopkins' knowledge and association
with a abandoned man, to be a dangerous man
in our Community, and therefore present the
case with Hopkins examination to the General
Committee for action.

The Committee further recommend that
the sentence of Banishment be passed on said
Hopkins, under an injunction that if he ever
return to the State of California he shall be
punished with Death.

Isaac Burrage Jr
Geo S. Carter
John H. Spencer
Stephen Payran
George M. Fairmont.
S. Prayner
R. S. Watson
E. Gordon
G. E. Schmitt
James F. Curtis

FACSIMILE OF THE REPORT IN THE CASE OF GEORGE HOPKINS.
In the handwriting of Stephen Payran.

[July 1, 1851]

[Signed] Isaac Bluxome Jr

" Geo J Oakes

" John F. Spence

" Stephen Payran

" George M. Garwood

" S. Brannan

" R. S. Watson

" E. Gorham

" G E Schenck

" James F. Curtis

" W. L. Bromley

[Endorsed:] passed upon this July 1st 1851*Rebecca White's Statement*

Rebecca White was born in Glasgow Scotland was 26 years of age when I left went to London from G—w was in London 2 years went to Van Diemens Land emigrant company went to Van D Land in ship *Jane*—my husband was carpenter on board and I emigrated with him—the ship was sent by government—we had 300 passengers I had been married about 18 ms before I left London—have been married about 8 years I had one boy when I left London—the boy still lives—my present husband is the same that I had in London I have had 3 children in all my oldest child is nearly 8 years—the youngest is nearly 2 years—the government paid my passage—not one of the passengers on the vessel was a convict—Mr Hennessey and Mrs Ferguson are also emigrants—My Husband was a ship wright and I worked at needle work in V D Land—I have been in Cal about 10 months—came in the Bark *Spartan* there were 13 other females on board—The following passengers came with me in the S[hip] Mrs Hennesey & husband—Mrs Ferguson & husband—Mrs Thomas & husband—Mrs Beck & Husband—Mrs Whitehouse & husband—Mrs Ellen Ravenhill a very bad woman—left her husband—I saw her yesterday—I paid 25£ ea for passage here—I was present when Mr Connolly died Mr Jenkins was also there I heard the Coroner said to Mrs Connolly that she behaved very bad for the widow of the deceased—and that Jenkins said to Mrs Connolly that if her conscience was

[July 1, 1851]

clear his was—that there was a dispute between Mr Jenkins & Mr Connoly¹ in relation to the corpse and that after Mr Connoly left, Mr Jenkins threatened him for his inquisitiveness at the Coroners inquest—Jenkins was living in the same house with her at the time he was taken—Mr Searle took three men & one woman off to the *Jane Francis* the morning after Jenkins was hung—Mr Searle seemed to be acquainted with these men—A man by the name of M Dunn told me he went to the Uncle Sam on the morning after the death of Jenkins and saw Mrs Connoly she was crying on ac of death of Jenkins she always seemed friendly with him—On the afternoon previous to the death of Jenkins—Dunn was at the Uncle Sam and saw Mrs Connoly waiting upon Mr Jenkins with clothing, soap—towels & and from their intimacy supposed they were living together—Jenkins left the house in company with two men & Mrs Connoly asked him when he would return? I asked Mr Dunn the next day after Jenkins was hung if he knew who these two men were with Jenkins? his reply was—now you are too inquisitive—Mr Dunn lives in happy valley Mr D is of middle stature wears a long beard—black—black eyes—black hair—dark complexion—wears a blue flannel shirt a blue jacket velvet collar—is a great drunkard—Mr Stebrit or Stebrick² was cook with Mr Burns and Mrs Connoly, is an old man—grey hair, speaks french—I know he is a great scoundrel—I think he robbed Mr Hennessey—Mr Sweeney³ lives with Mr Hennessey—I think he came to the country with Jenkins—I have seen the two together—Bob formerly a police officer is also at the house of Mr Hennessey thinks he drinks a great deal

[Signed] Rebecca White

San Francisco July 1, 1851

¹ The dispute was, probably, between Jenkins and Burns. See statement of the latter, p. 53.

² Perhaps this is an effort to give the name of Stephen Britz, who was Burns' cook (Hennessey's statement, p. 48).

³ Patrick Sweeny appeared as a witness in Hennessey's case, and was, later, tried by the Committee as a confederate of the latter in the crime of larceny. A sentence of banishment was passed, but on a reconsideration, he was discharged (p. 623).

[July 1, 1851]

G W Ryckman. Information relative to Criminals. July 1, 1851

Four fishermen that live near Searls on the North Beach, proposed to Mr Hennesy, living on the beach, to steal goods from the fire on Sunday last.—Hennesey refused so to do.—Afterwards they did steal a package of prints from Messrs White & Storms and threw into Mr Hennesey's boat. Hennesey told them that he would expose them—They went off & afterwards Hennesey restored the goods to White & Storm.—The fishermen claimed a part of the goods found in Hetherington's premises,—when Mr E. V. Joice was present.—These same fishermen stole from Hennesey a coil of rigging within a few days.

White & Storm are referred to for the principal part of the above statement—Hennesey for the balance.

[Signed] G. W. Ryckman

Report of J F Curtis. Case of Hetherington

In the Case of Prisoner Ethington effects—

I would report that his effects have been sent to Auction and were sold yesterday—the purchaser however did not pay for same—they will be again put up tomorrow & the auctioneer has orders to receive pay for same immediately on sale

[Signed] James F. Curtis

July 1st 1851

WEDNESDAY, JULY 2, 1851

MINUTES

*Minutes of the Ex^e Committee made this July 2nd 1851*Wednesday July 2nd Executive Committee Morning Session

Present Sam^l Brannan in the Chair J. Ward Geo Mellus Brinley Bromley Bluxome Perrien [Payran] Spence

Took deposition of Ja^s Wethered concerning the arrest of Ben the negro.

Received the report of 310. Capt. Eastman [Easterby], regarding the storing of Goods at night on board of the Sch^r *Lydia*

[July 2, 1851]

& Ann lying opposite The Store ship *Edwin* on Front Street. Mr Geo Mellus was requested to visit the said Sch^r this day & report to the Executive Committee.¹—

Being informed of the arrival in the harbor, by Capt McGowan of the Revenue Cutter, of the Barque *John Potter* from Sydney the following persons were appointed as a Committee to go on board and to report to this Committee.—Smith. Brinley. Bluxome. Raynes. Evans²

Received communication from the Vigilance Committee of Sta Clara accepted & placed on file, and reply sent—

Received statement & application of S. K. Spears in relation to David Stanton charged with steading \$1,000.⁰⁰/₁₀₀ to be handed to the Captⁿ of Police for action.—

Addressed a communication to the Vigilance Committee of Marysville concerning Stewart who assaulted & robbed Mr Jansen.—³

Received a Communication from Theodore Dall Green—to be read to the Gen^l Committee

Received a communication of Captⁿ White, in person, of the Brig "*Cameo*" bound for Sydney direct, to sail on the 7th or 8th Inst. offers to take any person or persons we may wish to send out of the country and give bonds for their delivery at Sydney or Hobart Town, for the sum of One Hundred Dollars each—Address at the office of Captⁿ Pattison, Pacific Wharf.⁴—

¹ The *S. F. Herald*, Oct. 31, 1851, published a list of 148 vessels that were regularly used for the storage of merchandise in San Francisco harbor.

² An act of the legislature, passed April 11, 1850, made it a misdemeanor for the master of any vessel to bring convicts into the state. Little or no effort had been directed toward enforcing this statute, and one of the self-appointed duties of the Committee was that of boarding ships from Sydney and investigating the character of the immigrants before they should be allowed to land. Reports were submitted covering the passengers of eight different vessels, but they are not printed, as the facts given in each case are so meager, and the spelling of proper names is so doubtful, that they have little historical value. The *John Potter*, Captain Mitchell, arrived from Sydney, July 2, with thirty-seven passengers. The report of the sub-committee gave particulars concerning thirty-five of these, and recommended that one, Alexander Wright, should be deported as a convict dangerous to the community.

³ See note 4, p. 137.

⁴ See note 6, p. 307.

[July 2, 1931]

to have been opposite the State ship Edwin on Front Street. Mr Geo. Miller was requested to visit the said ship this day & report to the Executive Committee.

Being informed of the arrival in the harbor by Capt. M. Gowan of the Hercules Cutter, of the Bureau John Foster from Sydney the following persons were appointed as a Committee to go on board and to report to this Committee—Smith, Brinkley, Hixson, Rayner, Evans.

Received communication from the Vigilance Committee of St. Clara accepted & placed on file and reply sent—

Received statement & application of S. K. Spears in relation to David Stanton charged with stealing \$1,000.00 to be handed to the Capt. of Police for action.

Addressed a communication to the Vigilance Committee of Marysville concerning Stewart who assaulted & robbed Mr. James.

Received a communication from Theodore Ball Green—to be read to the Gen. Committee.

Received a communication of Capt. White in person, of the Brig "Chance" bound for Sydney direct to sail on the 7th or 8th. Just effort to take any person or persons we may wish to send out of the country and give bonds for their delivery at Sydney or Hobart Town, for the sum of One Hundred Dollars each—J. H. Green at the office of Capt. Patterson, Pacific Wharf.

Gen. & M. Howell, Dec. 21, 1931, published a list of 117 vessels that were regularly used for the storage of merchandise in San Francisco harbor.

An act of the Legislature passed April 11, 1931, made it a misdemeanor for the master of any vessel to bring contraband into the state, and no effort had been directed toward enforcing this statute, and little or no effort had been directed toward enforcing the statute. One of the self-appointed duties of the Committee was that of looking after the harbor and investigating the character of the merchandise before they should be allowed to land. There were numerous cases of the possession of state different vessels, but they are not listed as the facts given in each case are so many, and the spelling of proper names is so doubtful that they have been omitted again. The John Foster, Captain Mitchell, arrived from Sydney, July 2, with thirty-seven passengers. The report of the superintendent gave satisfactory concerning thirty-five of them, and recommended that one, Alexander Wright, should be deported as a serious danger to the community.

See note 1, p. 137.

See note 2, p. 137.

[July 2, 1851]

Statement of Mr Marsh taken in relation to Goff a Transported
Felon

Adjourned

[Signed] S Payran

[Endorsed:] Communication & report of the Vigilance Committee of St^a Clara [sent] to the *Herald* office to be published & ret^d forthwith—

[Signed] Jⁿ F. S. [Spence]

July 2nd 1851 Filed S Payran

MISCELLANEOUS PAPERS

Evidence of Wethered in relation to affairs of Ben Robinson

July 2nd 1851

James Wethered.—Mr Ryder requested me to go with a party to arrest a man.—there were 3 altogether—we went in the neighborhood of Ohio St^r saw a Negro we supposed to be the man & we arrested him—soon as ever we saw him arrested him. when I touched him on the shoulder after he attempted to run from us he immediately said “I did not set fire to the houses”—I suppose he came out of the prison that night, as he was near the prison which is in Ohio St^r—When I was in the St^r I rec^d information that we were to go to the neighborhood of station house on Ohio St^r & take possession of a negro who was to be released by a P. officer or officers. The officer said to him in my hearing “you may go out & get your coat but look sharp after this V. C.—if they do arrest you tell the truth”—This happened at the back yard of the Station House at the gate—Then Ben came out. At Committee Room he told the story about setting fire the woman &c.

[Signed] Jas. S. Wethered

[Endorsed:] Testimony in the Case of Negro Ben

Filed July 2nd 1851

*Communication of No 310 regarding Storing of Goods on board
the Sch^r Lydia & Ann at night*

The Sch^r “*Lydia & Ann*” lying on Front St. opposite the

[July 2, 1851]

Edwin receives goods on board every evening between 8 & 12

No 310. [A. Y. Easterby]

[Endorsed:] Filed July 2nd 1851

S. P[ayran]

[This communication is written on a sheet printed in the following form:]

COMMITTEE OF VIGILANCE

You are detailed for.....duty,
 fromo'clock, too'clock,
 and will report accordingly to the Sergeant at
 Arms, at the Committee Room.
 San Francisco,1851.

Report of Capt McGowan

The Bark *John Potter* from Sydney with Passengers is in the
 Harbor arrived this morning

[Signed]. J McGowan
 Capt Polk

July 2.

[Addressed:]

Mr S. E. Woodworth

Present

For "Vigilance Committee"

*Statement & Application of S. K. Spears in relation to
 David Stanton, charged with stealing \$1000, July 1st 1851*

Statement of Spencer K Spears resident of Winters Bar
 Makolmne River. July 2nd 1851

A man by the name of David Stanton who worked for me at
 Winters Bar, about five feet six inches in height, short stout
 built man, dark eyes dark hair, dark complexion, a regular down
 East Yankee, very quiet says but little when speaking
 drawls out his words,

There was a \$1000 stolen on the 21st of June last, and the
 reason why Stanton was suspected was as follows, he came to me
 and said that he wanted to send some money home (I owed him

[July 2, 1851]

some money for work) and wished that I would give him the money, and not deduct a store account I had against him for goods, I told him I would do so to accommodate him, and gave him the money about one hundred dollars—he then went over the river and wanted to borrow money, stating to the party that I owed him but would not pay, he borrowed \$10 of one man, & 15 or \$20 from an other, after getting the money he stated that he was going to pay it to Esquire Clark for a debt he owed him (Clark) he then goes down to Mr Coleman's Tent and took with him from 10 to 20 oz of Gold Dust, and had it amalgamated with Quicksilver and took it away as adulterated, he had no money but what I paid him & what he borrowed and he must now have from 1 to \$2000 and therefore I believe that said Stanton stole the \$1000—which belonged to a respectable young man by the name of W^m Hill, this man left the Bar on Monday morning last, we have been in pursuit and visited Stockton & Sacramento City, he could not have reached San Francisco in time for the Steamers of the 1st July—I think he will be here to-day

I respectfully request the Vigilance Committee to appoint some persons to accompany me in quest of said Stanton

[Signed] S K Spears

[Endorsed:] Filed July 2nd 1851 S Payran

[*Case of James Stuart*⁴]

Steven's Statement

St francisco July 2—1851 .

My name is William Stephens born March 3—1819 at Brighton Sussex England i was apprenticed to a tailor at

⁴ James Stuart or Stewart, alias William Stevens or Stephens, English Jim, Campbell, Carlisle and Mason, was the leading spirit among the convicts from Sydney. His most notorious crime had been the murder of a man named Moore, on October 7, 1850, at Foster's Bar on the Yuba River, for which he had once been arrested, although he escaped, before punishment could be inflicted. On the night of February 19, 1851, he took part in an assault on C. J. Jansen, in San Francisco, and for this attack the police arrested William Windred (or Wildred) and Thomas Berdue. The latter bore such a striking resemblance to Stuart, that many reliable witnesses at once identified him as the escaped murderer, and a furious crowd demanded his summary punishment. Wiser counsels restrained the mob and influenced it to form a "people's court" and give the two

some money for work) and wished that I would give him the money, and not deduct a store account I had against him for goods, I told him I would do so to accommodate him, and gave him the money about one hundred dollars--he then went over the river and wanted to borrow money, stating to the party that I owed him but would not pay, he borrowed \$10 of one man, & \$10 or \$20 from another, after getting the money he stated that he was going to pay it to Esquire Clark for a debt he owed him (Clark) he then gave down to Mr. Coleman's Test and took with him from 10 to 20 of Gold Dust, and had it unassisted with Quicksilver and took it away as adulterated, he had no money but what I paid him & what he borrowed and he said now have from 1 to \$2000 and therefore I believe that said Stanton stole the \$1000--which belonged to a respectable young man by the name of W. Hill. This man left the bar on Monday morning last, we have been in pursuit and visited Stockton & Sacramento City, he could not have reached San Francisco in time for the steamer of the 1st inst--I think he will be here to-day.

I respectfully request the Vigilance Committee to appoint some persons to accompany me in quest of said Stanton
[Signed] S. E. Spear
[Indorsed:] Filed July 2nd 1851 S. E. Spear

[Case of James Stewart]
Stewart's Statement

St. Francisco July 2--1851
My name is William Kephart born March 2--1819 at Brighton Sussex England. I was apprenticed to a tailor at
*James Stewart on Saturday, when William Stewart or Kephart, English, Jim Campbell, Catholic and James, was the party who left money for me to visit from England. The most serious crime was the murder of a man named James, on January 7, 1848 at Fort's Bar on the Yuba River, for which he had once been arrested, although he escaped. He was questioned and indicted, on the 10th of January 1848, he was part in an assault on E. J. Johnson in San Francisco and for the crime the police arrested William Stewart for William and James Stewart. The latter had made a statement in relation to the crime, that made William witnesses of some identified him as the accused murderer, and a further crowd demanded the summary punishment. When arrested he was taken to the jail and informed it to have a "people's name" and give the two

[July 2, 1851]

Brighton for 4 years served about 3 of it when my Master Died about that time my father and Mother and 11 brothers and Sisters came to Canada and I Believe that they all have Re-

prisoners an immediate trial, which resulted in a disagreement of the jury. They were then left in the hands of the authorities, tried by the courts, found guilty, and sentenced to fourteen years' imprisonment. Windred soon escaped, but Berdue was sent to Marysville to stand trial, under the indictment of Stuart, for the murder of Moore. This resulted in his conviction the last of June. On the second of July the Vigilance Committee arrested a man who called himself William Stephens or Stevens, and who was suspected of a petty robbery in San Francisco. Stephens gave a credible account of his movements and might have been released had not a new shirt belied the statement that he had walked from Sonora without changing his clothes. Soon after, he was recognized by his guard, John Sullivan, as the real James Stuart, and steps were immediately taken to prevent the execution of sentence against Berdue. This case was the most notable of all those that came before the Committee, and until the date of Stuart's execution, July 11, it occupied the greater part of all the meetings. His confession, made July 8, furnished a clue to the band of desperate Sydney convicts that had conducted systematic raids throughout the state, and it enabled the Committee to rid the community of his particular confederates.

The writing of the first part of Stephens' statement resembles the signatures on the "contract," p. 224, and on the orders on F. M. Pixley, p. 242. The remainder, on a second sheet, appears to be in Brannan's handwriting.

After the execution, full reports of the testimony in the case were published in the San Francisco papers, and extracts from this material, some of which is missing from the files, have been reprinted, above, under their respective dates. Stuart's preliminary statement, enlarged in subsequent examinations, appeared as follows in the supplement of the *Herald*, July 12:

"William Stevens, born in Brighton, England, raised in Montreal, aged 32, in March next, left London in 1835 for Canada in the ship *Sophia*, was sixteen years old when I left England, was apprenticed to a tailor in Brighton, and went to work at tailoring, when I arrived at Montreal; left Montreal two and a half years ago, for Chagres; arrived here in the Am. barque *J. W. Coffin*, from Panama, had ninety passengers; arrived here in November or December, 1849, went to the Southern mines, has worked the last five months at Sullivan's creek; two months on the Tuolumne, four months at Savage's camp on the Mariposa. I arrived in this city last night, and walked here via Livermore's ranch, where I have a horse and mule; they have been there this past six months; I slept last night on North Beach; a man by the name of Kitchen showed me the house; do not know the occupants; it is a private house; went to the above named place with Kitchen a little after dark, about 9 o'clock. There was only three persons in the house where I slept. There was a female in the house; her name I decline mentioning. The man I do not know. Went to bed about ten o'clock, and did not go out during the night, and got up this morning soon after day light, near about five o'clock, went over to the Mission; arrived at the Mission about 6 o'clock, remained there at least till ten o'clock; left the Mission and took the road over the hills; thinking it was the nearest road, saw two men with only one bundle; was questioned by four men whether I had seen any parties carrying a trunk; told them I saw two men with a bundle; they told me there had been a

[July 2, 1851]

Brighton for 4 years - served about 3 of it when my Master Died - about that time my father and Mother and 11 brothers and Sisters came to Canada and I believe that they all have He-

presented an immediate trial which resulted in a disagreement of the jury. They were then sent to the hands of the authorities and by the courts found guilty and sentenced to fourteen years' imprisonment. Witnessed soon escaped, but Brighton was sent to Montreal to stand trial under the indictment of Stewart for the murder of Moore. This resulted in his conviction the last of June. On the second of July the Vigilance Committee arrested a man who called himself William Stephens or Stephens and who was suspected of a petty robbery in San Francisco. Stephens gave a credible account of his movements and might have been released had not a new spirit belied the statement that he had walked from Stearns without changing his clothes. Soon after he was recognized by his friend, John Collins, as the real James Smith, and steps were immediately taken to prevent the execution of sentence against Brighton. This case was the most notable of all those that came before the Committee, and until the date of Stewart's execution, July 11, it occupied the greater part of all the meetings. His conviction made July 8, finished a line to the hand of desperate highway conductors that had manifested everywhere throughout the state and it enabled the Committee to rid the country of its particular pest.

The writing of the first part of Stewart's statement occupied the signature on the "contract," p. 224, and on the order on W. M. Fidelity, p. 225. The remainder, on a second sheet, appears to be in Brighton's handwriting.

After the execution, full reports of the testimony in the case were published in the San Francisco papers, and extracts from this material, some of which is missing from the first, have been reprinted, where, under their respective dates, Stewart's preliminary statement, contained in subsequent examinations, appears as follows in the supplement of the Weekly Star:

"William Stewart, born in Brighton, England, raised in Montreal, aged 32, in March next, left London in 1850 for Canada in the ship Specter, was sixteen years old when I left Brighton, was apprenticed to a tailor in Brighton, and went to work at Montreal, where I arrived in Montreal, left Montreal two and a half years ago, the Chicago arrived here in the ship Harper J. W. Coffey, from Panama, and finally passengers arrived here in November or December, 1849, went to the Canadian river, was working the last six months at Montreal, two months on the Canadian river, two months at Bayne's camp on the Canadian. I arrived in this city last night, and walked down the Canadian river, where I have a house and where they have been there the last six months. I slept last night in North Beach; a man by the name of Bennett showed me the house, and not know the neighborhood. It is a rather decent house, but the whole neighborhood with Brighton a little after dark about 8 o'clock. There was only three persons in the house when I arrived. There was a female in the house; her name I do not mention. The next I do not know. I went to bed about ten o'clock, and did not go out during the night, and got up this morning soon after day light, went about 8 o'clock, and went over to the Mission, arrived at the Mission about 9 o'clock, remained there at least till ten o'clock, left the Mission and took a walk over the hills, thinking it was the second road, saw two men with long hair, and was questioned by four men whether I had seen any parties carrying a trunk. I told them I saw two men with a bundle; they told me there had been a

[July 2, 1851]

mained there ever since i left home about two years and a half ago bound to California i came to Chagwass [Chagres] and crossed the Ithmus and then took a Passage to St francisco in the American barque *J W Coffin* Captains name Mr Moreton

Super Cargo Mr Jones and Mate Mr Seley with a cargo and about 90 Passengers we Arrived here about November 1849 and i have Been to work almost ever since.

Wilsons Brothers Cutting Wood on the other side of the Bay —they came from London by Panama

Knows Capt Ravenner Mr Og[d]en Mr Kitchen Stopped in a private house on north beach but does not know who keeps it.

Met Kitchen last knight when he came in town and he went over to north beach with me—Kitchen told me to stop at that house—Left the house this morning at daylight—Started with no clothes only what I have on—bought a pair of shoes at San Jose and I believe that was all that I bought after leaving Sonora.

[Endorsed:] Bought a pair of shoes at San Jose on Friday morning—from S. F. Dined here Tuesday night, generally

house robbed and pointed the house out to me; I know nothing farther of the charge of robbery or of any person connected with it. I have known James Kitchen since last November, he is a boatman; an Englishman by birth, and sailor by profession. Knows not what port Kitchen sailed from, or how long he has been in the country. I know, nor have I heard any thing detrimental to the character of Kitchen; has learnt that Kitchen has a wife and family in New York. Knows Capt. Henry Ravenon brought a vessel here from Panama, the vessels name I do not know. There are two brothers by the name of Wilson, cutting wood on the other side of the bay, Canadians, Dr. Ramsey, a Scotchman, and also Gen'l Quitman, who I worked longside of in the mines.

Wm. Stevens.—I have told you Kitchen lives on the hill near the North Beach. I refuse to tell the name of the woman with whom I stayed. Kitchen showed me the house; Kitchen was here on Tuesday night, 1st July. I saw him at the El Dorado; I knew where he lived, but looked for him there; I went from the El Dorado to the Bella Union, from thence to North Beach; he then showed me the house; I have known the woman before— I had 6 or 7 dollars with me; I don't know Mr. Pixley, a lawyer; I left the woman soon after day-light next morning, and went to the Mission; I have a cousin there named John Stevens; he is working at a baker's; he has been in the country about 16 months; has been at the Mission two months; Kitchen told me my brother was living at the Mission; I left the Mission same morning at about ten o'clock; I got there by 6; about 11 o'clock was taken; I consider it as near again to come over the hill as to keep the plank road. I have travelled same road often before; I came back from the Mission alone."

[July 2, 1851]

walk from 20 to 30 miles when travelling, San Jose is about 60 miles.

Paul Carrothers. Statement in relation to Kitchen

Paul Carrothers—Boards with Robt Sutton on north beach last house on Dupont St, Mr. Kitchen went to the mines with me three weeks ago, and I left him at Longs Bar 19 miles from Marysvill last Monday morning—he is a printer and waiting to receive a letter from a friend of his at Sacramento—I was to see his friend (Harrison) and have him write to Mr Kitchen and let him know whether he could get imployment—Mr Sutton went to the mines with us:

Kitchen and Sutton came from Sidney in the *Alert* about one month ago Paul Carrothers came in the *Reaper* 12 months ago
San Francisco July 2nd

[Signed] Paul Carrothers

[Statements in relation to Stuart, alias Stevens]

[From the Supplement of the *S. F. Herald*, July 12, 1851]

James Adair.—I have a small house on the top of the hill near Col. Stevenson's, at the head of California street; a man at a wood-pile came and told me that my house was broken open—that he would get in the bushes and look out for the burglar, as he had not finished his work, and requested me to get others and come also—I did so; while looking through the bushes we met a man on no road, that said he was coming a direct way from the Mission; the road he chose being sandy and hilly, I thought the reason was a bad one; I thought it would be well enough to follow him and watch his movements; after passing a little over the summit of the hill, he stood and looked for a few moments down on the city, and then hurried in another direction; I called to a few carpenters who were at work on the hill, and we followed and called to him, he turned and came toward us; I mentioned the suspicious circumstances to him, and requested that he should come down and give an account of himself to the Vigilance Committee—to this he assented and came; a trunk with clothes worth \$40, and \$40 in money, had been taken from my house, which has not been found as yet; this man was taken

[July 2, 1851]

about half of a mile from the house; the house the trunk was stolen from was locked; I don't know the precise time the trunk was taken.

Cross-examination by Wm. Stevens.—Prisoner was from a quarter to half of a mile from the house when taken; a gentleman stated that the man had a beard and hat on like Stevens, but had on light pants and boots over, and a light coat or shirt sleeves; my impression was that this man Stevens had changed his clothes; my reason for thinking that the man Stevens had changed his clothes, was, that the coat and pants looked as if they had not been out of some trunk or bag but a few moments, as they were much wrinkled and the shoes were not dusted; Stevens stated that he had worn the clothes since he left Sonora.

Wesley Diggins. *Sworn.*—I left the house on the hill at the head of California street, about 9 o'clock this morning; I locked the door and left my trunk with very little money in it, and about 11 or 12 I went back and found the door broken open; the door was opened with a piece of iron; I saw my trunk was taken away and a chest dragged to the door; the trunk had about \$40 in it and two broadcloth coats; it was a China trunk bound with brass, painted blue; a pocket book with notes and other papers, also duplicate bills of exchange drawn by Burgoyne & Co., in favor of Eliza Diggins, one for \$600, one for \$620, also a small carpet bag, contents removed; I placed my trunk key in a vest hanging in the house; the key I found was taken, but the vest was still hanging where I left it; I then ran down to my wood yard and called to the men there to go with him and look through the bushes for the burglar; I immediately started for the places where I thought most likely for the things to be concealed; after going through the valleys and hills, I met Stevens and thought that he looked suspicious and asked him where he came from; he replied, from the Mission; what excited my suspicion was that his breath was rather short; I asked him if he had seen any one in his travels; he replied that he had seen two or three; I asked him if they had any thing with them; he answered that one had a handkerchief with something in it; we had several men out, and I stated to Mr. Adair that he had better see where Stevens went

[July 2, 1851]

and I would go on, which I did, for one mile or more; saw no one and hunted thoroughly; found no trunk; I don't think he has any of my clothes on.

John B. Brady.—I think I saw Stevens this morning on Powell street, near California, about 11, or half past. I would swear to it, if he had on white pants and light coat or shirt sleeves; my reason for looking at him so particularly was, he looked so much like Stuart; I feel satisfied and will swear that this is the man I saw on the hill. When I saw him he was within two feet of the house that was broken open; I know the house that was opened; some thought he was coming from the plank road on Mission street; when I first saw him it was about one hour before I heard the house was broken open.

Cross-examined by Stevens.—My house was about one hundred feet from the house broken open; I first stated that is not the man; I said he had on light pants and boots, outside and light coat or shirt.

Direct examination resumed.—I said that is not the man, because I thought he might go more quietly if I should say so. I will swear this is the man, no matter how he is dressed; I never saw this man before to-day; I should say he was skulking along.

Tappan C. Kilburn.—I am repairing a house a short distance from the house broken open, about 150 feet; I was going up to the house with some cooking utensils for Mr. Perry, and I met the man who lost the trunk; he told me he had been robbed, and I went in the bushes to search for the men or clothing; there was another man with me, who first saw this man, and he called me to him and told me to go and speak to Stephens, the prisoner; I called to him to stop, and he turned and stood still until I came to him, when I came up to him and asked what he was doing here; he looked frightened and confused, but said he was coming from the Mission. I remarked to him that this was a d—d pretty way to come from the Mission. He told me several different stories, and I thought it suspicious. He stated he lived on North Beach, but could not tell where, or who with, but said they were friends of his. I found some stockings similar in color to those

[July 2, 1851]

he has now on in the bushes near where Stevens was taken. I heard some shrill whistle in the bushes this afternoon, about 3 o'clock, never heard them before.

John B. Brady.—The trunk painted blue, bound with brass, I found about half past 9 o'clock this morning in some thick bushes; I should think in the square bounded by Stockton, Powell, California and Pine streets; the square is not laid off, and cannot state positively.

Letter of S Brannan. Copy

To the Vigilance Com^t of Marysville. July 2, 1851

San Francisco July 2nd 1851

To the Vigilance Committee of Marysvill

Gentlemen Our Committee are very desirous to receive the person of Stewart—the Assassin of Janson of this City—if you can render us any assistance, by securing him there, we'll send a committee up to receive him, the bearer of this Capt Hartford Joy is a member of our Committee—and can be trusted in any matters you may communicate

Yours very respectfully

[Signed] S. Brannan Pres.

[Endorsed:] Filed July

Mr Dalgreen [Dahlgrén]. Letter

Sanfran^o. 30 June 1851

To the Committee of Vigilance of San Francisco

Gentlemen You seem to think it as corroborative of guilt, that I have kept myself out of your way—Now, the only reason I have for so doing, is simply that I do not stand fairly placed before you—were I, I would never have retreated an inch, but I know what probably most of you do not, that I have among your number, enemies, who entertain towards me the most deep malignant hatred & who [are] afraid, openly & manfully to avow it, take covert & unfair means to injure & persecute me—if such is not the case, why am I before I have a hearing stigmatized as having been “*for the last ten years a “notorious thief and swindler”*”? Can I, could *any man* be reasonably expected to appear voluntarily before you, with a verdict ready to be hurled at

[July 2, 1851]

him?—I ask you as men of consideration & as I am firmly convinced, most of you, men of high & honorable feelings, who would scorn to harbor unmanly or unworthy prejudices where the life & happiness of a fellow being was at stake—I ask you, would *any of you* do it?—this alone is, & has from the first been, my motive for avoiding you—personal fear I never yet knew—& I accordingly resolved in my own mind that, prejudged as I *know myself* to be by many of your body, I would sell my life dearly—a dread of shedding blood will ever, while I live, cause me to avoid any course that could superinduce it, and make me willingly submit to any hardships, any disgrace, rather than die with my hands imbued in blood,—tho' as in duty bound to protect my own, I might be forced to—

One of your number *Mr King* is my enemy, because I saved the money & books of Rising Caselli & Co at the fire of 5th of May, at the risk of my life, & afterwards when insulted by an offer of \$12 for my services therefor, when I had neither *asked* nor *wished* for any pay, and the following day was in a cowardly manner assaulted by him,—I published an account of the whole transaction in the *Alta California*,⁵ over my name—hence *his* enmity.

What *Mr Reynolds* may have for cause of reasonable ill will against me, I cannot conjecture—certain it is that I have never injured him, nor even knew him to address [me], till within a few weeks—the reason of the bitter animosity he has shown toward me, I cannot imagine.

Capt. Wakeman I have always thought to be my friend, & yet do not think him my enemy tho' I fear he is prejudiced against me—I have ever felt warm friendship for him, so much so that he will probably, remember that some years ago, when a cripple on two crutches in Neworleans, I one morning gave him the last dollar out of my pocket,—not knowing where I should get the next from—I would not ask him to defend or shield me when wrong, but I would ask him as a *sailor & a man*, that he should be frank & not profess friendship for a man & extend his

⁵ See *Alta California*, May 11, 1851.

[July 2, 1851]

hand, as he did to me after having searched my baggage on Thursday last, when his *heart* was not with me—

Mr Reynolds also, at the same time and place, while apparently performing a “very unpleasant duty,” told two gentlemen who were there, that I was a notorious scoundrel &c As the boat left the vessels side I repeated the question if the examination had been satisfactory, and was answered yes, & that I was free to leave—and yet some hours after when I had come ashore to see a friend, I overheard the same Mr R, stigmatizing me as “a dammed villain” that I had clothes enough for six men, and “that I could not get out of the harbor! this took place about 10 o’clock on Thursday night at the entrance door of Meigg’s building Corner of Jackson & Montgomery Sts—and if these gentlemen to whom it was addressed, are applied to, they cannot deny it—Now let me ask, why this dissimulation, this rancour of feeling—if I were really a “villain” why shake my hand a few hours before—this Italian mode of dealing is certainly very *un-American*—unfair

After hearing this, I returned to my friend & related the circumstances—he advised me not to heed it—I left him & on my road to the water side, called on a prominent gentleman & related the affair—he advised me to go to the Committee & promised to consult with a friend of mine in the morning—I accordingly went down & stood for some 20 minutes in front of the Comm^t Room door & having seen Mr Tennent enter, thought it best to wait until the following morning, as I fully expected he would do me the common justice to explain the matter of the Sextants so that it should not appear to my disadvantage—I went to the Wharf, but no where could find a boat that would take me off, so that I was forced to remain on shore & that within a very short distance of you where I have been ever since

Now, Gentlemen, I hope you are satisfied with my reasons for leaving the vessel—on learning the state of feeling against me the next day, I knew that my baggage would be detained by you & I determined to await till such a time as I might safely appear before you—

The matter of the Sextants I explained to Mayor Brenham, in writing next day, & desired him to hand the letter to you—

[July 2, 1851]

To conclude, I would only say that if the borrowing of money, with the honorable intention of refund it when able, & to enable me to enter some kind of business on shore,—if the having been engaged in some legitimate transactions which resulted disadvantageously & so brought on me the undeserved imputation of wrong—if the having been unknowingly made the dupe & parrying[?] point for several in the community to further unfair schemes by,—the result of an impulsive & at best, very imperfect judgment—if in one word, the very *great crime of failure* (as it is undeniably held to be) in all & every attempt that I have made to earn an honorable living—(*why*, I know not—if the utterance of inconsiderate unintentionally harmful, or what I considered justly deserved censurable, language concerning others,—if these constitute me a “villain” *then am I one*—To say that I have not erred, would be untrue, and I have yet to see the man who has *not*—but that I have ever wronged any individual in this community, knowingly & willingly—that I have ever robbed any one—that I have ever taken one article at a fire, or attended one but with a sole view of aiding the unfortunate—& that I have been a much injured & opposed man—unfortunate, unsuccessful in everything I have undertaken here on shore—I feel & know to be as true as that I believe there lives a God—as for malice or revengeful feeling, a particle of either never entered my bosom—What I have said concerning members of your Committee, I have said purely in self defence—a step that certainly could be taken justly when life & character are at stake—I am here to say that I have no motive or feelings of revenge to gratify against either of those gentleman, nor have I ever nor will I ever revenge myself against any who may have wronged me—and I assure you they are many—Though a “villain of the deepest dye,” I can yet forgive, tho’ I may not forget, injuries—& leave to each one’s lone hour of death, to *revenge* me—Every man’s reckoning is with that something within which, unheeded will visit, with the tortures of the damned, *perhaps the living, but most certainly the dying hour*—and for aught I know, *the future*—

I wish to appeal, Gentlemen, to the quiet of your own bosoms, —to the *real man* not to the, worldly external of the members of

[July 2, 1851]

the Committee (for we *all* are truly but actors)—& ask you, were our respective positions reversed, would *you* not ask and expect *me* to look charitably & kindly on *your* imperfections of judgment & character—Would you not wish the same for your Father, brother child?—why then wish to crush *me*? I have expressed my readiness to trust my cause to you, provided personal enmity may not weigh against me—on Sunday when I arrested Capt. Harris, I merely rushed in when the two gentlemen who first took him & were on their way down with him to your room (& who I therefore supposed to belong to your body) were overpowered & borne to the earth & twice during our progress thither were loaded revolvers pointed at me⁶—do you think I took his watch? how could I have done so, when during the whole time that I was with him, I was in advance of him, dragging alone by my left hand with his right, I being on his right side & my right arm constantly engaged in pushing & striking at the mob who attempted his rescue? In all that I did to him, I was influenced by *but one* motive—to save his life & place him in your hands for judgment—If I be such a “deep-dyed & adroit villain” is it reasonable to think that I would risk my life in a crowd like that for a paltry watch?—or if I had have taken it, would I not rather, after having done so, left the crowd & the man before reaching your room? but instead of doing so, I take him up stairs & express a wish to remain to give my evidence! does this look like a “thief—a finished thief”

⁶ There were several acts of brutal violence during the fire of June 22. Two men were beaten to death, one for looting, and one on a false suspicion of incendiarism. Captain Isaac Harris, master of the British bark *Timandra*, was attacked by a mob that accused him of trying to spread the blaze, and was in great danger of severe injury, when members of the Committee placed him under arrest and carried him to headquarters, not without a hard struggle with the crowd that wanted to hang him immediately. His clothing was torn off, valuables lost, and bruises inflicted before the rescue was accomplished. He was kept at the rooms over night, provided with necessary clothing, and escorted safely to his vessel on the next day. His relations with the Committee must have been friendly, for he signed the roll of members as number 468, but he subsequently assumed a hostile attitude, and claimed damages for two watches lost in the *mélée*. The Committee was able to restore one of these, but the second was not recovered (see his letter, p. 279, and Minutes, p. 280). His experience in San Francisco, recounted with great bitterness, was published in the *Sydney Morning Herald*, September 1 and November 8, 1851.

[July 2, 1851]

As for leaving so abruptly, I will explain—On the 15th of May last, with \$200 that a firm loaned me on my note, I left on the Steamer *Northerner* with the intention of going home—at San Diego, I thought better of it & under the impression that I could join the pilots of that port, I debarked—there I remained two weeks, until the British Steamer *Conside* put in in distress—finding that the pilotage of the place would hardly afford a living to two, I took hold of that vessel, the Captain having died, & finally brought her up here—for my services I received \$100 & \$126 in addition for personal expenses while engaged in procuring a bottomry on her to enable her to get here—

On Tuesday last I chanced to be in the "Steam Boat Hotel" when Capt. Ellis came up & spoke to me,—I did not recognize him, having seen him but once last winter at Honolulu when I gave him a chart of the Marquesas Islands—He said he had charge of the Bark *Callao* & on my representing my situation, he offered me a passage with him hence to an Island in the South Pacific, named Raiaten whereon I resided a year or more, some 8 years ago—I gladly accepted his offer afterwards saw the owner Mr Coombs, whom I first saw in Callao, in 1842 who consented that I should go—& I acted accordingly—Since seeing either Ellis or Coombs, I have heard that they were men of bad character—this I knew nothing of previously & probably my going in that vessel excited your suspicions still more—it very naturally would—Ellis I never saw but once before in my life & knew neither good nor bad of him—Coombs I met as a brother Mason & was bound to respect him till I found him unworthy—I knew him to be a well known man, probably better known than any other one man in the Pacific—but that I ever heard anything unfavorable to either him or Ellis, until since their departure. I most solemnly declare to be the fact—had I, I would not have gone with them—

Now Gentlemen, I have given you a full & correct account of everything & I leave the matter to your consideration, admitting as I have said(that I may have done *some* wrong, & much else probably susceptible of being construed into wrong—for all of which I merely ask the same charitable reception, as any of you would in, a like position, expect for yourselves—You are at

[July 2, 1851]

perfect liberty to appoint one of your Number, who may know either of my brothers, or I care not who it be, so long as some delicacy may be shown towards private matters wholly unconnected with the world at large—and if you can there find aught to condemn me, be it so—

Every article of clothing & every individual article, however small in my trunks, I can account to you satisfactorily for—

My wish is the same as it has been, to leave this country, for ever—my own native land I never wish to, nor will I, revisit.—I am either a crazy or heartbroken man—perhaps a fool—I care not which—but Gentlemen, no “villain”—erring I may be but it is error of the *head*, not the *heart*—as you deal by me, so may a higher Power deal with you—

I have refused the aid of all friendly, or Masonic interposition & in answer to aid & advice proffered, have made but one reply, that I stand or fall alone, wishing to implicate no one, if I be a guilty man & if not, trusting to Time and honest heads & charitable hearts to bid me go my road in peace—A line inserted in the *Alta California* will reach me—

I remain Gentleman

Yr obt. sert.

[Signed] Theo Dahlgrén

I ask in justice to me—two things—one is that *Jno McCracken Esq* of the firm of Brooks & McCracken, be permitted to be present at the reading of this to confirm what I have said respecting some difficulties of mine here, that he is cognizant of, & also to state what he knows concerning me—also *Dr. Hastings*—neither of them brother Masons of mine, but simply because they know much of me since here—

the other is, that my property may not be abused, nor disposed of—it is my right & lawful property which even a *convicted felon* may claim—

The Committee need have no fear of my leaving—I never will do so, without my property & that is in their hands—

It is proper for me to say that neither of the gentlemen I have mentioned know of this communication nor of my intention to use their names & I trust it may not prove offensive to them

[July 2, 1851]

my having done so—It is made in utter ignorance of their present sentiments towards me & without my having seen either of them.—

[Endorsed:] Filed July 2/51

T McCahill. Intro Capt White, Master Brig "Cameo"—

July 2. 1851

San Francisco July 2d/51

Gentlemen of the Ex. Committee

The bearer is Capt. White of the American Brig "*Cameo*" who will leave this port for "*Hobertown*" on the 7 inst, without fail. My object in introducing the Capt, to you is that you may be able to make arrangements with him in relation to transporting those "*Convicts*" in charge of the "*Committee of Vigilance*"

Very Respectfully your

obdt, Sev,

[Signed] T. McCahill

[Addressed:]

To The Ex. Committee

Present,

Goff or Gough.⁷ Evidence of Mr Marsh

July 2ⁿ

Chas Marsh. Goff in happy valley was transported to New South Wales & assigned to Judge Forbes—he had conducted himself so well that the Judge had allowed him to keep a little grocery shop for his own ac[ount] working for the Judge also—While he kept the shop there was a person named Foss a druggist & wholesale grocer—Goff and the Porter at Foss's were connected to gether—Goff began to sell goods cheap & did a large trade. Sold cheaper than Foss could. It was discovered that the man

⁷ John Goff or Gough, a Sydney convict, was a friend of Thomas Berdue, who so closely resembled Stuart. Goff was arrested by the Committee, tried, and ordered to leave the state by July 12, but his time was extended, owing to the illness of his wife, and he finally promised to leave on his own vessel, the *Veto*, by August 14. In a letter dated July 8, Marsh claimed that threats against his life were made because of this evidence (p. 218). See also Goff's statement, p. 183.

[July 2, 1851]

Goff obtained his goods thro' the Porter Goff was arrested—
tried and I think was transported again to Norfolk Island I think
—before he had been there long he thro' interest was brot—back
to work with Prisoners on New Jail—He worked his 7 years out
& then went to Windsor—from there came here—he is a bad
character keeps Panama Restaurant, his name is spelt properly
Gough—

Your office in Sydney was governor's House & Land Steward
—I had 50 or 60 convicts under me & 5 or 6000 acres of land to
take care of—

[Signed] Cha^s Marsh

[Endorsed:] Filed July 2/51

Ordered July 5th 1851, that notice be given Gough to appear
this day at 8 OClock P. M. for examination

Scott's Receipt for Monies & Effects. July 2 1851^s

Received of Executive Committee the sum of Two Hundred
seven dollars 75/100 in money and two watches, keys &c being
the whole amount belonging to me in the hands of said Com-
mittee

July 2nd 1851

[Signed] Thomas Scott

[Endorsed:] Filed July 2nd 1851

Thomas Scott To Bela Dexter. \$10 July 2nd 1851

The Executive Committee

Will please pay Mr Dexter Ten dollars, this Sum being Ex-
pended for my use in obtaining my effects & for my use.

[Signed] Thomas Scott

San Francisco July 1, 1851—

Witness Lloyd Minturn

[Endorsed:] Sergeant at Arms will attend to this matter
July 2/51

^s The *Alta California*, July 3, reported that "Scott, Burns, Hopkins, and
Hetherington . . . were yesterday escorted into the harbor and placed on
board a gallant ship bound to the sunny isles from whence they came."
The *Crescent City* cleared for Launceston on that date.

[July 2, 1851]

*Hetherington Receipt of Monies & Passage money paid Capt
Wakeman July 2nd 1851*

Memo: of Property taken from the person of James Hetherington

3	ounces ⁹	48.00
9	Eagles—Moffatt	90.00
1	do Baldwin	10.00
5	½do Moffatt	25.00
1	½do Liberty	5.00
2	½do Baldwin	10.00
1	¼do	2.50
	Small Silver Change	2.87

\$193.37

Amount in Cash \$193.37

- 1 Gold specimen
- 2 knives
- 1 piece of lead pencil
- 1 Gold dust bag
- 1 Bunch of keys handed to Chief of police
- 1 Silver Watch maker "Isaac Ball" Rainhill Lancashire no. 7593
no. on case 1591

Committee Room San Francisco 20 June 1851

[Signed] J. W. Salmon

Treasurer

Received July 2nd 1851 of the Executive Committee all the
Goods monies &c named in this statement also Fifteen dollars re-
ceived of Mr Meiggs by Capt Wakeman

[Signed] James Hetherington

⁹ There was no government mint in California at this time, and gold dust had a current value of \$16 per ounce. From 1849 to 1855, private companies struck gold coins of various denominations, which were commonly called by the name of the firm issuing them. The most important of these mints was that of Moffatt and Co., and although Baldwin and Co. struck a very large number of coins in 1850 and '51, their output was discredited by official tests that revealed an habitual shortness of weight (see E. H. Adams, *Private Gold Coinage of California*, Brooklyn, 1913.)

[July 2, 1851]

Received of Mr Curtis appointed by the Ex^e Committee to dispose of my Effects the sum of forty one dollars 40/100 nett proceeds

[Signed] James Hetherington

[Endorsed:] Filed July 2 1851

[Resignation of John Buckler, Jr]

Committee Vigilance

Gentlemen I hereby tender my resignation as a member of your honorable body, feeling that my health, will not permit me to carry out duties imposed upon a member of your Committee, & wishing you every success in your praiseworthy undertaking,

I am Gentlemen

Your Obt Sevt.

Jno. Buckler Jr

San Francisco July 2nd 1851

[Addressed:]

Gentlemen of the Executive Committee

Capt Pattison's Statement. July 2/51

Captⁿ Robert Lorn [?] Pattison Whittaker¹⁰ lived at [...]
in Pacific Street. was burnt down opposite Gold Street—O'Neil
both convicts—King is a convict—is a card player—fighting
man—Mrs Conolly was in my house enquiring for passage to
Sydney along with Burn's family.—

[Endorsed:] Filed July 2nd 1851

[Report of the Vigilance Committee of Santa Clara]

Executive Committee Take much pleasure in presenting the annexed document ¹¹ from Santa Clara and respectfully suggest

¹⁰ Samuel Whittaker was one of the leaders of the Stuart gang (see Stuart's confession, note 24, p. 232).

¹¹ The *S. F. Herald*, July 3, published the letter to which reference is made above, and commented upon it as follows: "We trust the example will be followed by the citizens of all towns of the interior, and that we may have an organization existing throughout the entire state so powerful as to produce the most complete efficiency in the punishment of criminals. . . . At a subsequent meeting held on Thursday last, the Committee adopted a constitution and by laws, and took measures towards a thorough organization. We learn that not a single citizen has yet refused to join."

[July 2, 1851]

that a vote of thanks be presented to the Committee of Vigilance of Santa Clara

[Signed] S Payran
Presdt of Ex Com

Attest G. W. Ryckman
Sec. pro-tem

[The following document is missing from the files of the Committee, and has been reprinted from Bancroft's *Popular Tribunals*, I, 474.]

At a meeting of the citizens of Santa Clara, held pursuant to public notice, Mr. Joel Clayton was called to the chair, and Mr. R. Bucknor appointed secretary. Mr. Pierson addressed the meeting, and stated the object to be to take measures to act in concert with and approve the proceedings of the Vigilance Committee of the citizens of San Francisco, and offered the following resolutions, which were unanimously adopted:

RESOLVED, that we deeply sympathize with the citizens of San Francisco in their losses sustained by the late fires; That as we believe the late disastrous fires to have been the work of a regular band of thieves and incendiaries too fiendish and dangerous to be suffered to prowl about San Francisco; That as we believe our interests are identified with the sustaining of that city, we will heartily second and assist the citizens to detect, bring to justice, and punish the scoundrels that infest that city; That we consider the hanging of the notorious burglar and thief Jenkins entirely justifiable, and in our opinion it is the shortest and only way to save the lives and property of citizens; that we hereby call upon the Vigilance Committee of San Francisco to transmit to the Vigilance Committee of this place descriptions of suspected desperadoes whenever they shall hereafter leave that vicinity; That we call upon the press of San Francisco to publish these resolutions, and assure their citizens that if a vigorous effort should be made to free themselves from the pest we will come to their assistance *en masse* if necessary.

Mr. Gates then moved that those present form themselves into a Vigilance Committee, which motion was unanimously adopted, and the chairman, Mr. Clayton, elected president of such committee, and Mr. Gates secretary. On motion of Mr. Gates a

[July 2, 1851]

committee of five, consisting of Mr. Pierson, Captain Rush, Mr. Buckner, Colonel Davis, and Mr. Buffum, were appointed to draft resolutions and rules to govern the action of the Vigilance Committee; whereupon the meeting adjourned to Thursday evening, the 26th inst.

Joel Clayton, Chairman¹²

R. B. Buckner, Secretary,

Santa Clara, June 25, 1851.

THURSDAY, JULY 3, 1851

MINUTES

Minutes of Genl Meeting July 3, 1851

July 3^d 1851

Meeting called to order by Mr Brinly

G R Ward called to chair E Delessert app^d Secy pro tem.

Mr Brinley read the report of the Committee appointed to visit the *John Potter* from Sydney and recommended that the resolution of the last meeting be re considered.

The moti[on] upon the reconsideration was made by Mr Curtis and decided in the affirmative, after which a division was called, before the division was taken Capt Garwood amended same by motion to rescind the motion of last evening which was carried.

Motion to grant a permit to all the passengers to land except Alex^r Wright was carried. And said permit sent on board by a Committee (Mr Baker & Dewey) who were instructed to bring Wright to Com rooms for further examination. On motion of Mr Brinly it was made a *standing rule* of the Com that minutes of each meeting should be read at the opening of each succeeding meeting

On motion of Mr S Woodworth a special meeting was called for Saturday 5 Inst at 8 P. M. (and the form of advertisement passed upon) the object of said meeting was to take into con-

¹² Joel Clayton was a well-known citizen of Santa Clara County who had come to the state in 1850. *History of Contra Costa County*, Slocum & Co., publishers, S. F., 1882, p. 543.

[July 3, 1851]

sideration the suit instituted by [Peter Metcalf] against F Argenti & others for acts of this Committee¹

[Signed] Eug Delessert

Secretary protem

Report of Com appointed to visit the prison was presented and motion was laid over to Saturday next. Also was presented by Mr Wethered a letter recommendatory of John Devine a passenger on *John Potter*

E. D.

Sec. pt

[Endorsed:] Report of Committee in relation to the Ship *John S. Potter*

MISCELLANEOUS PAPERS

Names of Persons present at Metcalfs house—

Chas L Brinley

W L Bromley

Jas F Curtis

George Howard

Thos McCahill

Isaac Bluxome Jr

Dr H S Gates

John C Derby

George Mellus

J P Blakely ex mem²

West

Andrew J McDuffie was applied to by Mr Metcalf for damages to his trunks—

¹ The following notice is copied from the *S. F. Herald*, July 4: "Committee of Vigilance. The Members of this committee are hereby notified that a special meeting will be held at the Committee Rooms on Saturday Evening, 5th July, at 8 o'clock, as business of great importance will be submitted. A full attendance is particularly desired."

The suit of Metcalf vs. Argenti et als., which became one of the best known incidents connected with the history of the Committee of Vigilance, has been mentioned on page 79. Metcalf sued for damages on account of the search of his house for stolen property, and the Committee felt compelled to sustain the action of the members involved by assuming the cost of their defense. The first hearing, in August, resulted in a disagreement of the jury, and the case was transferred in December to San Jose, where nominal damages were awarded the plaintiff, who then brought suit on the same grounds against other members (see note 2, p. 711). This matter, so insignificant in its beginning, assumed importance as time went on, and the heavy expenses involved in the conduct of the suit were a cause of financial embarrassment of the Committee throughout the later months of its active life (see Payran's resignation, p. 700). In justification of the raid on Metcalf's house, the Committee openly claimed a right to search suspected premises without legal warrant (p. 178), and this attitude appeared to many persons as one of the most dangerous developments of the self-constituted authority assumed by the organization.

² J. L. Bleakley, V. C. No. 217.

[July 2, 1921]

consideration the suit instituted by [Robert McNeill] against P. A. gent & others for sale of this Committee.

[Signed] Eng Holmstrom

Secretary present

Report of Com appointed to visit the prison was presented and motion was laid over to Saturday next. Also was presented by Mr. Withers a letter recommendation of John Devine a passenger on John Foster

E. D.

Sec. 42

[Endorsed] Report of Committee in relation to the Ship

John S. Foster

MUSKELASHOOS MATRONS

Minutes of previous present at McNeill's house—

W. B. Brimley

Chas. I. Brimley

George Howard

Jan F. Curtis

Isaac Hinzman Jr.

Thos. McCull

John E. Dyer

Dr. H. S. Davis

J. P. Blodgett as agent

George Melius

West

Andrew J. McDuffie was applied to by Mr. McNeill for loan
ages to his trunk—

The following notice is copied from the S. A. Weekly July 21: "Com-
mittee of Vigilance. The members of this committee are hereby notified
that a special meeting will be held at the Committee house on Saturday
Evening, July 21, at 8 o'clock as business of great importance will be
submitted. A full attendance is particularly desired."

The suit of McNeill vs. Blodgett et al., which became one of the best
known incidents connected with the history of the Committee of Vigilance,
has been mentioned on page 75. McNeill and his friends are accused
of the seizure of his house for stolen property and the Committee has
compelled to sustain the action of the vigilantes in effect by securing the
cost of their defense. The first hearing in August resulted in a dismis-
sion of the jury, and the case was transferred to December to San Jose,
where hostile changes were made in the plaintiff, who then brought
suit on the same grounds against other members (see page 2, p. 111).
This matter is mentioned in its history, among important incidents as time
went on, and the heavy expenses involved in the conduct of the suit were
a cause of financial embarrassment to the Committee throughout the latter
months of its career (see page 120). In January, 1901, in further-
ance of the suit on McNeill's house, the Committee again claimed a right
to search suspected premises without legal warrant (p. 127), and this
attitude appeared to many persons as one of the most dangerous develop-
ments of the self-constituted vigilante movement in the organization.

J. L. Blodgett, V. G. No. 217.

[July 3, 1851]

Report of Prison Committee. July 2, 1851

Report of the Committee appointed to examine into the condition of the County Prison in compliance with the invitation of Sheriff Hayes—

The Committee beg to report that at the hour designated they repaired to the Prison where they were received by Col Hays.

They found the only part of the building sufficiently completed to be made use of, to consist of seven cells and the keepers' room—

This is a part of the ground tier, being the right hand side, as per the original design—

One of these cells is twelve by fourteen feet; the other six are six by nine. The largest contains fourteen Prisoners and the others six each—There are at present *fifty one* persons confined within these *seven* cells.

There are eight additional cells on the same tier and in a line with these, which are also completed with the exception of the doors—

A wooden fence runs along in front of the cells which is the only thing that separates them from the open street

The work as far as completed seems to have been well and substantially done—According to the original Plan only about one sixth of the work has yet been executed, and but a small quantity of material is now left—

The greater part of this work has been done since Col Hays took charge of it, and principally by the Prisoners—He has expended about Forty five hundred Dollars, of which Fifteen hundred was made up by private subscription, and the balance has been advanced by himself and assistants—

The building is mortgaged to Mr Argenti for Four Thousand Dollars, and there is also a Mechanics Lien upon it for Twenty two hundred and fifty Dollars—

The *grossest fraud* seems to have been practiced in the expenditures for this building previous to its coming under the control of Col Hays—The amount laid out and charged against the building being *One hundred and thirty nine thousand, nine hundred and forty eight Dollars, and sixty three cents*—And in the opinion of your Committee there is not, leaving out the work

[July 3, 1851]

done by Col Hays. Fifteen Thousand Dollars worth of work and material to show for it³—

Your Committee deem it expedient that some immediate action should be taken to extend the accommodations for Prisoners as they are now evidently much too closely confined, and liable at any moment to be rendered more so by addition to their numbers—

Your Committee also deem it expedient that action should be taken in relation to the fraudulent expenditures above aluded to, as in their opinion the persons who have proven thus recreant to the trust reposed in them by the People *are guilty of a crime than which few are blacker*—

Your Committee were pleased to see the care which Sheriff Hays took of his Prisoners and the order and decorum which reigned throughout the Prison—

At their request Sheriff Hays furnished your Committee with a statement of the present condition of the Prison, with an estimate of the expense of completing it sufficiently to make it available for all present purposes which Statement is hereunto annexed.

He also furnished them with a Plan of the Prison as originally intended which Plan is respectfully submitted for your inspection and guidance—

By the statement of Sheriff Hays it will be seen that he proposes to finish the first story of the building as per the original Plan and to roof it over—He estimates the expense of doing this to be Twenty one Thousand Dollars, and solicits the aid of the Vigilance Committee in raising the money—He says that whatever money is advanced for this purpose will be refunded out of the taxes to be collected next October as an order has been issued by the "Court of Sessions"⁴ setting aside a part of those taxes for the Completion of the Prison—

³ The report of the grand jury for April, 1851, complained expressly of the fraud and extravagance connected with this building, and stated that \$146,000 had been charged to its account before the foundation was laid (*Alta California*, April 29). See also the later report on the jail, p. 347, also p. 602.

⁴ The statutes of 1850 gave the Court of Sessions the supervision of county property, and the report cited above blamed this arrangement for

[July 3, 1851]

Should the Vigilance Committee deem it expedient to take any steps in this matter your Committee would suggest that a committee be appointed for the purpose of raising subscriptions, and whatever money is furnished for the purpose should be considered as a loan from the Vigilance Committee—

They would also respectfully suggest that the building should be carried on under the superintendence of Col Hays—

And that whatever monies are subscribed for the purpose should be deposited in some Banking House and a Committee of five appointed to attend to its disposition—The names of two at least of this Committee should be affixed to every check drawn and vouchers should be retained by them for all monies expended—This Committee should also visit the Prison at least once a week and see that the materials they pay for are *actually used*, and that the laborers who receive pay are *actually employed*—

If this Committee deem proper however they shall have the privilege with the concurrence of Col Hays of contracting with some responsible builder for the completion of the work according to the plan, and as proposed by Col Hays: of which work full specifications shall be made—But the contract must be made with these stipulations viz that one quarter *only* of the money shall be paid when the work is one third finished—to be decided by the Committee—One half when two thirds, and the balance when finished to the satisfaction of the Committee and of Col Hays—

If the former course is adopted Col Hays shall be allowed to send his Bills to the Committee to be paid, for workmen and materials—If the latter the Contractor shall treat with the Committee alone—

Your Committee beg that you will remember that these are but suggestions of theirs, as they were appointed simply for the purpose of examining into the present state of the Prison in compliance with an invitation of Col Hays

much of the mismanagement and abuse of the public funds. The new judiciary act, of March 11, 1851, exempted San Francisco from the control of this court, and on April 29, the legislature passed an act to create a Board of Supervisors for the County of San Francisco, and placed in their hands the responsibility for county expenditures.

[July 3, 1851]

All of which is very respectfully submitted—

[Signed] A. Oaksmith

Chairman of Visiting Committee
to County PrisonVigilance Committee Room. July 2nd 1851

[Letter from Sheriff Hays]

Sheriff's Office July 1st 1851

Sir

At the request of a number of gentlemen belonging to the Vigilant Committee I submit the following statement. Sometime in the month of May last I determined to attempt the completion of a portion of the County Jail. A large amount of money had been already expended on this building and but a small portion of it had been completed. I believed that a contribution of money could be had from the Citizens of San Francisco which with the labor of prisoners would place a number of cells in a condition suitable to receive inmates. The subscription has been small and the amount collected less. I must however express my acknowledgments to those gentlemen who have aided me. With this small amount of money not exceeding fifteen hundred dollars together with some money which we have ourselves advanced we have completed the Keepers room and seven cells.

The remainder of the cells are all finished with the exception of the doors which in all probability we will have in a few days if we can raise the means to pay for them.

We have endeavoured to procure everything at the lowest possible rate and have expended all the money with an eye to strict economy.

The Chain gang rendered important service and with proper management can be made to do a great deal on this building.

The members of the Vigilant Committee who have visited the prison can say with as much accuracy as I can furnish in a short statement what amount of labor has been expended and how much of materials have been bought by us. We found it necessary to buy brick, lumber, cement, to employ stone cutters, stone & brick masons, carpenters and a guard for the chain gang.

[July 2, 1851]

All of which is very respectfully submitted—

[Signed] A. Gammitt

Chairman of Visiting Committee

to County Prison

Visiting Committee Room, July 2nd 1851

[Letter from Sargent Hays]

Sheriff's Office July 1st 1851

Sir

At the request of a number of gentlemen belonging to the Vigilant Committee I submit the following statement. Some time in the month of May last I determined to attempt the completion of a portion of the County Jail. A large amount of money had been already expended on this building and but a small portion of it had been completed. I believed that a contribution of money could be had from the Citizens of San Francisco which with the labor of prisoners would place a number of cells in a condition suitable to receive inmates. The subscription has been small and the amount collected less. I most anxiously press my acknowledgments to those gentlemen who have aided me. With this small amount of money not exceeding fifteen hundred dollars together with some money which we have ourselves advanced we have completed the Rogers room and seven cells. The remainder of the cells are all finished with the exception of the doors which in all probability we will have in a few days if we can raise the means to put for them.

We have endeavored to procure everything at the lowest possible rate and have expended all the money with an eye to strict economy.

The Chain gang rendered important service and with proper management can be made to do a great deal on this building.

The members of the Vigilant Committee who have visited the prison can say with as much accuracy as I can furnish in a short statement what amount of labor has been expended and how much of materials have been bought by us. We found it necessary to pay brick makers, carpenters and a gang for the chain

gang

[July 3, 1851]

One of the heaviest items of expences about the prison are the doors and locks I have not been able to find any one who would make a suitable door for less than fifty cents per pound

I am anxious if possible to complete the ground story of the prison according to the plan now in the possession of the committee The roof which would cover this would answer for the building when raised one or two stories higher I consider this preferable to adding another story on the tiers of cells now completed not only because it will give greater security to the prison but would afford a yard in which the prisoners could work and take exercise

To finish this building to the extent above mentioned would require for

Brick, Carting & laying	\$6,800
Granite, foundation & labor	5,000
Carpenters Work & Materials	4,000
Work & labor in rough wall	2,000
14 Doors	2,240
8 do	1,280

\$21,320

My impression is that this amount of money will cover all expences and accomplish near two thirds more than had been done previous to my undertakeing the matter

You will please to observe that it will be necessary to purchase nearly all the materials inasmuch as there only remains out of all that has been purchased some granite rock & coral

The chain gang can be employed in digging the cistern the well sink &c waiting on the workmen. It is not to be denied that we stand much in need of a good & strong prison At present there is no money in the County Treasury and without the cooperation of the citizens generally this work will have to cease. It is proper that I should inform you that there is a mortgage on this Jail for about \$4000.00 and a Mechanicks lien for about \$2250.00. An order has been entered by the Court of Sessions setting apart a portion of the County tax for the completion of this Jail If we succeed in collecting the whole tax

[July 3, 1851]

I think there will be sufficient to build not only this Jail but a Court house and all necessary county offices

I trust the Vigilant Committee will come to our assistance in the prosecution of this most necessary work

I remain With respect

Your Obt Svt

[Signed] John C Hays

To Chairman of Visiting Committee of Committee of Vigilance

E. L. Christman. Sonora

Sonora June 30th, 1851.

To the Chairman of the Vigilance Committee of San Francisco:

Sir:—At a meeting of citizens of this place, held this evening, held privately for the organization of a Vigilance committee, I was instructed as Secretary to forward to your association, and other similar associations in the State, the names of several men implicated by David Hill⁵ in his confession just before he was hung. He said that the following persons were guilty of horse stealing and other crimes, namely

John Target, known as Tag— has a scar by the cut of a knife on the neck.

Bill Stanley, about 6 feet high, good figure, well proportioned, black hair and blue eyes. Speaks Spanish well, was formerly clerk for Messrs Holden & Green in Sonora.

Sam Miguel, a Mexican, with three upper front teeth knocked out, light complexion, small, about 5 feet 8 inches in height.

Jose Miguel, a Chileno, a small man—weighs about 130—wears black beard over the whole of his face.

⁵ The *Alta California*, July 3, gave particulars of the execution of "Jim Hill." He was arrested at Sonora on June 27, "taken into the keeping of the people" and carried to Campo Seco to stand immediate trial for a recent daring robbery in that little community. Convicted by a popular jury, he was condemned to death, but execution was delayed, that confederates, implicated in his confession, might be apprehended, and before the sentence could be carried out the next day, the sheriff effected a rescue and carried him back to Sonora. There "an immense crowd" succeeded in regaining possession of the prisoner, allowed him a brief interview with a clergyman, and hung him forthwith to a limb of a convenient tree. "All through the city," said an extract quoted from the *Sonora Herald*, "the rowdies, men who live sumptuously and yet do not work, men who are marked, and against some of whom there are more than suspicions of guilt, were solemn and subdued." It is to be noticed that the Vigilance Committee of Sonora was organized *after* this execution.

(July 2, 1851)

I think there will be sufficient to build not only this Jail but a Court house and all necessary county offices.

I trust the Vigilant Committee will come to our assistance in the prosecution of this most necessary work.

I remain With respect

Your Obedt Servt

(Signed) John G. Hays

To Chairman of Vigilant Committee of Committee of Vigilance

E. J. Christman, Secretary

San Francisco, June 30th, 1851.

To the Chairman of the Vigilant Committee of San Francisco:

Sir—At a meeting of citizens of this place, held this evening, held privately for the organization of a Vigilant Committee, I was instructed as Secretary to forward to your association, and other similar associations in the State, the names of several men implicated by David Hill* in his confession just before he was hung. He said that the following persons were guilty of horse stealing and other crimes, namely:

John Yarger, known as Tag—has a scar by the cut of a knife on the neck.

Bill Shanley, about 5 feet high, good figure, well proportioned, black hair and blue eyes. Speaks Spanish well, was formerly clerk for Messrs. Hubben & Green in Sonoma.

Sam Wilson, a Mexican, with three upper front teeth missing, not light complexion, small about 5 feet 5 inches in height.

Jose Wilson, a Chilean, a small man—weighs about 130—wears black beard over the whole of his face.

* The Alta California, July 2, gave particulars of the execution of "The Hill." It was executed at Sonoma on June 25, "taken into the hanging of the people," and carried to Sonoma where it was executed. It was a popular event during robbery in that State. The committee, consisting of a popular jury, he was sentenced to death, but execution was delayed, that execution, indicated in his confession, might be expedited, and before the sentence could be carried out the next day the court elected a juror and carried him back to Sonoma. From the Sonoma record, "executed" is regarding possession of the property, although this is a legal technicality with a statement, and being the fourth in a list of a convicted man. "All through the city," and an extract quoted from the Sonoma States: "The townsmen, men who live comfortably and yet do not work, men who are married, and against some of whom there are more than suspicion of guilt, were silent and unshaken." It is to be noticed that the Vigilant Committee of Sonoma was organized after this execution.

[July 3, 1851]

Ned Ward, American, about 5 ft 3 inches, light hair, large gray eye—Scar over one eye, as well as down the cheek. He is here now, and has had one trial without definite proof against him. It is supposed he may leave, and this description is given in order that he may be watched.

John Johnson, slim, nearly 6 ft in height—light freckled face, red hair,—we believe since hung on Calaveras.

Texas Jack, short, heavy set man, had a ranch last winter on Stanislaus river—said also to have been hung recently by some, but reported to night as having been seen a day or two ago in San Francisco.

John White—a small man, American, recently in difficulty at Melones and now supposed to be not far from Camp Seco. Men are in pursuit of him.

Pitchet—keeps a ranch 6 miles below San Jose for the purpose of keeping stolen horses and receiving a share of the proceeds for his compensation.

Hill said these men had led him into crime and were guilty of horse stealing & other crimes.

On account of your proximity to San Jose, we respectfully suggest to you the propriety of immediately inquiring into the existence and character of such a ranch as Hill has described. The gang is a desperate one, and all portions of the State are interested in the complete suppression of the gang.

In case you catch the men, our citizens can probably supply you with evidence, or you can send the parties here for trial.

Very Respectfully Yours on behalf of said meeting

E. L. Christman—

Secretary.

[Endorsed:] Filed July 3 1851

FRIDAY, JULY 4, 1851

MINUTES

Reports of Executive Committee for July 4th 1851, from 9 till 11 O'clock & 45 min A M. Adjourned till 8 O'clock P. M

A meeting of the Executive Committee convened for business on this July 4th 1851 present G M Garwood James

[July 4, 1851]

Ward Charles Brindley G Schenck George Oakes S.
 Brannan E. Gorham W. L. Bromley James F. Curtis
 Isaac Bluxome Jr

Stephen Payran Chairman

Charles Brindley Secretary

Examination of Prisoner Stevens resumed, and continued until 8 OClock P. M.

Testimony of Mr Mason taken and placed on File in relation to Stephens

Testimony of Emile Younge [?] in relation to Stephens placed on File

On motion of Capt Garwood it is requested of the Secretary to immediately write to the Vigilance Committee to send forward Judge Stidger Ezra Dodge, G Prescott, Recorder Washington & Thomas Jones to testify before the Vigilance Committee of San Francisco in relation to the Prisoner Stephens now in our custody, the Gentlemen who are required here testified in the case of the People vs Stuart at Marysville

In the matter of the Chinamen, and two Females, it is ordered that they be sent out of the Country at the expense of A Sing and J. Lepscom and all expenses to be paid

[Signed] C H Brinley Secy.

[Signed] Stephen Payran

[Endorsed:] Filed July 4/51

Chairman

*Report & Minutes of Executive Committee of the 4th of July
 1851 from 8 to 12 OClock P M*

And now July 4th 1851. 8 OClock P. M. pursuant to adjournment Executive Committee met present G. L. Garwood
 J. F. Spence F A. Woodworth S. Brannan W. L. Bromley
 James F. Curtis Isaac Bluxome Jr Stephen Payran
 W. T. Coleman

¹ V. C. No. 450. The name is illegible in the roll of signatures, and has been printed "Kunze" (*Papers of the San Francisco Committee of Vigilance of 1851*, I). In the published reports of the case it appeared as "Goenge," and the sergeant-at-arms of the Committee wrote it "Yonge." The signature is attached to records in the Clerk's office of San Joaquin County, and has been transcribed "Junge" in correspondence with the editor.

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 Academy of Pacific Coast History
 [July 4, 1921]
 Ward Charles Brindley G Schenck George Oakes S
 Brindley E Graham W L Brindley James F Curtis
 Isaac Brindley Jr
 Stephen Fayon Chairman
 Charles Brindley Secretary
 Examination of Prisoner Systems resumed, and continued
 until 8 O'clock P. M.
 Testimony of Mr. Mason taken and placed on file in relation
 to Stephens
 Testimony of Emilio Young (P) in relation to Stephens
 placed on file
 On motion of Capt Garwood it is requested of the Secretary
 to immediately write to the Vigilance Committee to send for
 ward Judge Bidger, Ezra Dodge, G Pearson, Researcher Wash-
 ington & Thomas Jones to testify before the Vigilance Committee
 of San Francisco in relation to the Prisoner Stephens now in
 our custody, the Gentlemen who are required here testified in
 the case of the People vs Stuart at Marysville
 In the matter of the Chinaman, and two females, it is ordered
 that they be sent out of the County at the expense of A King and
 J. Jackson and all expenses to be paid
 [Signed] C H Brindley Secy
 [Signed] Stephen Fayon
 Chairman
 [Endorsed:] Filed July 4, 21
 Report & Minutes of Executive Committee of the 1st of July
 1921 from 2 to 12 O'clock P. M.
 And now July 4th 1921, 2 O'clock P. M. present in adjourn-
 ment Executive Committee and present G. L. Garwood
 J. E. Spence F. A. Woodworth S. Brindley W. L. Brin-
 ley James F. Curtis Isaac Brindley Jr Stephen Fayon
 W. T. Coleman
 : V. C. No 430. The name is illegible in the top of signature, and has
 been printed "Jones". Report of the San Francisco Committee of July
 4th 1921, in the published report of the same it appears as
 "Young", and the signature of the Committee reads as
 "Young". The signature is attached in records in the Clerk's office of
 San Francisco County, and has been transcribed "Young" in correspond-
 ence with the above.

[July 4, 1851]

On motion, Mr Woodworth allowed to act as advocate for Prisoner Stephens during the examination of witnesses

Also on motion and Mr Woodworth representing himself as Consul for China he be allowed to appear for A'hone & A'lok' & the two women—

John Sullivan a witness on behalf of the People examined

Charles J. Hughes examined

George T Hunt examined

E Younge [?] Dep^{ty} Sheriff of Stockton Ex^d—

The testimony of Sullivan concluded

On motion of Mr Spence it is ordered that the chair detail a Guard to take Prisoner Stephens to the Mission Dolores to obtain further Evidence J. F. Spence S. Brannan James F. Curtis Isaac Bluxome Jr Mr Van Bokeylin are detailed as the Guard also A. J. Ellis

The offer of A P Sheldon esqre to subscribe \$500 to maintain any suit that may be instituted against Mr Argenti accepted

Mr McDuffie reports No 317 [J. P. Muldoon], 264 [David Earl] and 236 [Thomas Norris] as injurious to the Committee of Vigilance & for further action [. . .]

Motion to refuse admission to Nos 317, 264, and 236 until action be had into their cases²

Report of Mr Woodworth accepted and Chinese Prisoners be Discharged

On motion adjourned to meet at 9 OClock A M on the 5th July 1851

[Signed] Stephen Payran

Presd^t

R. S. Lamnot's report in relation to Joseph Shaw filed July 4th 1851

S Payran

[Endorsed:] Filed July 4th 1851

² All these names are omitted from the *Book of Names* of the sergeant-at-arms, and on the roll of members, Muldoon's name is annotated "Expelled." *Papers of the San Francisco Committee of Vigilance of 1851*, I. See also p. 572.

[July 4, 1851]

MISCELLANEOUS PAPERS

*[Statements in relation to Stuart, alias Stevens]**[From the Supplement of the S. F. Herald, July 12, 1851]*

George Mason. *Sworn.*—Come from North Fork of Feather river; formerly on Foster's Bar, Yuba river. I know the prisoner (Stevens;) have worked beside him at Foster's Bar. He hired men to work; was absent from Bar great part of the time. He went by the name of Jim Stuart; I was witness in Marysville in case against J. Stuart; that man at Marysville is not the James Stuart; the man they have there was arrested for murder. This man (Stevens) left Foster's Bar last October, having committed a robbery there; he escaped. He was taken up by a Frenchman for stealing clothing; he was required to give security therefor, and took out gold which was recognized as having been stolen from under a man's bed there. He escaped from there, came down to Marysville, and from thence to Sacramento City. Shortly after I went to Sacramento City, and met the prisoner in the street; I spoke to him; I asked him what he was doing there; he pretended he didn't know me; asked me are you staying here; nothing further passed. I heard nothing of him but through the papers and hearsay; it was in November I heard he was taken up in Sacramento City under the name of Campbell, for robbery. The constable, Mr. Burr, who arrested him at Foster's Bar told me this; said he was the same man he had taken at Foster Bar in October; I was called upon to identify him. This man was put on board prison brig and cut his way out; he did not bear a good character at Foster's Bar; was a good deal away; had money and gambled a good deal; he robbed a trunk of \$5000, and gave it up when discovered, excepting a small amount.

Cross-examined by prisoner.—I knew you at Foster's Bar; don't remember how long, but while digging race.

Direct examination.—I am positive this is the man; he knows me well.

E. Goenge, *sworn.*—*In the case of Stevens, prisoner introduced, whom he recognizes.*

I was deputy sheriff in Stockton in June, July, August, Sep-

[July 4, 1851]

tember and October last. The prisoner was delivered to me by Dr. Ash, sheriff of the county. I took charge of him, and being obliged to leave for Sacramento, prisoner escaped from my vessel, the *Susanna*, on board which he was confined. Was arrested upon the charge of murder; do not recollect the name he went under at the time; can swear to prisoner's identity; can produce my books if necessary. His name is registered in my books; placed the chains upon him myself. I was deputy sheriff for nine months.

Cross-questioned by prisoner.—Can any one else identify me?

Answer.—A man the name of Schmidt knows him; stood guard over him.

Prisoner.—At what time was it that you had me in charge?

Answer.—Will produce my books. It was about the same time as the Sacramento riot that prisoner escaped. I think it was in August. I do not recollect for what murder, but can produce my book which will state. Dr. Blunt placed prisoner in my charge; was in my charge about two weeks. I know positively that this is the man; he escaped during the time of the Squatter riot in Sacramento from Stockton.

John Sullivan *sworn*—I know Wm. Stephens, prisoner; I first knew him at Slate Range; I met with Stephens half way between Slate Range and Foster's Bar, about the 20th of May, 1850; he carried part of my baggage down to Foster's Bar; he asked me if I did not wish to go to work for him next morning, I told him I would, and would work for him for \$100 per month; he agreed to give it, and I went to work for him; I worked for him two weeks at Foster's Bar, I worked for him also at Winslow's Bar two weeks; I was one week sick; afterwards I worked for him at Slate Range one week; Stephens worked well when I saw him; I saw him the last three weeks of the fire: I knew the prisoner to have lots of money; I don't know where he got it; he did nothing at Foster's Bar, but did well at Winslow's Bar; Stephens was not charged with any crime during the time while I was with him; I knew this man by the name of English Jim and Jim Stuart; on the third of July he came to Slate Range to redeem a watch; he paid the money for it on the fourth; he bought a claim with

[July 4, 1851]

me on the day he redeemed the watch for \$100; worked in it on the 5th until 2 o'clock, and on the morning of the 6th he left; did not see him again until he was arrested for the robbery of about \$400 of Dodge & Co., about the month of October, am not positive as to date; I was on the Bar when one or two lumps were dug up and proved to be Dodge & Co.'s; I left the Bar on that day, and have not seen him since until now.

Cross-Examined.—I did not see the lumps dug up, but the men who brought them in at Dodge & Co.'s, and said that they dug them from under the bed of prisoner; I have been in Callao; I never saw prisoner in Callao; I left Callao in Dec. 1849; I did not see him in Callao, to my knowledge; the bark *J. W. Coffin* was at Callao at the time I was there; I don't think I ever saw him until I saw him between Slate Range and Foster's Bar.

Direct resumed.—The prisoner told me that he came from Adelaide to Callao; to the best of my recollection he there shipped on board the bark *J. W. Coffin*; the Capt. discharged him; he secreted himself on board the *Coffin*; the Capt. discovered him and put him on shore at Payta; from there he went to Panama, and shipped on board the steamer *Tennessee* as a deck hand, and came to San Francisco; he told me he came to Panama in a launch; about the 8th or 10th of April 1850, the steamer *Tennessee* arrived, and the *Coffin* arrived about the last of April or the 1st day of May; I got to Foster's Bar on or about the 6th of May; prisoner was there and seemed to have been there some time; I do not think I could be mistaken in the man; he is the man I worked for and with; he is the man I saw on examination for a robbery committed on Dodge & Co.; I now recollect that prisoner told me once in the tent, that he had seen me in Callao; prisoner had three watches besides a gold watch which he went to redeem; one night he dressed himself with a large coat, fur cap, large bowie knife, a brace or one double-barrelled pistol, and went out; does not recognize the pistol and knife.

Charles Hughes, *sworn*—I know prisoner by the name of English Jim, also by the name of Jim Stuart; I have not the slightest doubt but what this is the man; I was present at Foster's Bar when prisoner was examined before Justice Stidger; this was

[July 4, 1851]

about the month of August, but will not state positively; prisoner was in my employ some days; I had engaged him for one week but he did not fulfil his time; Mr. Hunt was with me when I engaged Mr. Jim Stuart.

Mr. Hughes states that the examination of prisoner before Justice Stidger was on the 4th October, and not in the month of August.

George F. Hunt, *sworn*—I know the prisoner by the name of English Jim, or Jim Stuart or James Stuart; I have no doubt this is the man; I was present at the time prisoner was tried before Justice Stidger, for the robbery of some \$4000 or \$5000 of gold dust, from Dodge & Co., at Foster's Bar; I wish to state that I was not influenced by any previous statement, but I could identify him better by his speech.

Report of Messrs Curtiss and Spence in the case of Stevens

Mr Curtiss & Mr Spence, having been requested to go to the Mission of Dolores for the purpose of finding the cousin of the man now in the custody of the Vigilance Committee & who calls himself Stephens or Stevens³—

They found upon enquiry at the German or Dutch Bakery, that the proprietors of said Bakery—had not employed any one to work for them for the last three weeks: that they did their own work entirely.—They further stated, that a tall fair complexioned man had called there some two or three mornings ago—they are not sure of the name he asked for, & could not say if the name was Stevens, Stephens, or Stewart or English Jim—

Went to the American Bakery, saw all concerned there.—All denied knowledge of Stevens, Stephens, or Stewart or English Jim.—they said no one had been there to look for a relative, but *that yesterday* a man called upon them, as coming from the Vigilance Committee direct, who told them; *everything we knew!!!* Finding that we were forestalled & could gain no information we concluded to return to Town

We have now to request that the prisoner be placed to-

³ See Stuart's statement, p. 139, footnote.

about the month of August, but will not state positively; prisoner was in my employ some days; I had engaged him for one week but he did not fulfil his time; Mr. Hunt was with me when I engaged Mr. Jim Stuart.

Mr. Hughes states that the examination of prisoner before Justice Silliger was on the 4th October, and not in the month of August.

George F. Hunt, says—I know the prisoner by the name of English Jim, or Jim Stuart or James Stuart; I have no doubt this is the man; I was present at the time prisoner was tried before Justice Silliger, for the robbery of some \$1000 or \$2000 of gold dust from Dodge & Co., at Foster's Bar; I wish to state that I was not influenced by any previous statement, but I could identify him better by his speech.

Report of Messrs Curtis and Sparks in the case of Stewart.
Mr. Curtis & Mr. Sparks, having been requested to go to the Mission of Dolores for the purpose of finding the owner of the man now in the custody of the Vigilance Committee & who calls himself Stephen or Stewart:—

They found upon enquiry at the German or Dutch Bakery, that the proprietors of said Bakery—had not employed any one to work for them for the last three weeks; that they did their own work entirely.—They further stated, that a tall fair complexioned man had called there some two or three mornings ago—they are not sure of the name he asked for, & could not say if the name was Stephen, Stephen or Stewart or English Jim.—Went to the American Bakery, saw all concerned there.—All denied knowledge of Stephen, Stephen or Stewart or English Jim.—They said no one had been there to look for a relative, but that yesterday a man called upon them as coming from the Vigilance Committee about, who told them; everything we learned finding that we were frustrated & could gain no information we concluded to return to Town.

We have now to report that the prisoner he placed before
See Hunt's statement, p. 155, footnote.

[July 4, 1851]

morrow under the care of Mr. Ellis Mr Brindley, Mr Curtis & Mr Spence or any others the Executive Committee may see fit to appoint, that they proceed to the Mission & cause the prisoner to point out to them the man whom he calls his cousin—

This Course may give us a clue to some of his pals, or it may prove his prior statement as false

Respectfully yours

[Signed] James F. Curtis

“ J. F. Spence

[Endorsed:] Filed July 4th 1851 Accepted & placed on file

Mr Sheldon's Offer in relation to Suits &c

No 411—A P. Sheldon reports if the Genl Committee are in want of funds to maintain a suit at law in Argenti Case—he is ready to subscribe \$500—

[Endorsed:] Filed July 4th 1851

[Memorandum on back of this paper:] Stephens says he was working 2 months on the S. A. Coast in an Eng. steamer—

Who do you say was the Cap^t of the *J. W. Coffin* You say that the Cap^{tn} is here now Then ask when did you see the Cap^{tn} here

Statement of Asing and Lipscom in re Alo' & Ahhone & two women

Norman Assing⁴— I know one Ahone or in China language . . . ⁵ I know him to be a bad man—Keeps a whore house here

⁴ Norman Assing appeared in the Recorder's Court in March, in connection with a suit involving the personal freedom of a young woman, Atoy, who feared abduction and unwilling deportation to China at his hands (*Alta California*, March 8). She won her case and was a notorious figure on the streets and in the courts of San Francisco for some time afterwards, and it is possible that Assing made another attempt to secure control of her by representing to the Vigilance Committee that she was one of the disreputable women connected with Ahone and Alo. The men of whom he complained were, evidently, taken into custody, and on the morning of July 4 it was resolved that they should be sent out of the country, but the minutes of the evening meeting show that on the application of S. E. Woodworth, the Chinese prisoners were discharged. The difficulty in rendering into English the Chinese names makes it uncertain whether one or two cases were occupying the attention of the Committee.

⁵ The Chinese characters are written here.

[July 4, 1851]

he takes sailors & others & drugs them in their drink and when asleep robs them, he was known as a robber in Hong Cong—has been guilty of arson twice in Hong Cong—he also has two woman of bad repute with him known whores & reprobates and who are accessory to the fact of his stealing

[Signed in Chinese characters] . . .

I also know one Alo he is a partner of Ahone and of the same character

[Signed in Chinese characters] . . .

[Endorsed:] Filed July 3 1851

Order that they be taken in Custody

[Report on the Chinese prisoners]

Norman A'sing & John Lipscom respectable Citizens of San Francisco, native of the Celestial Kingdom, make report, as follows that there are occasionally arriving at this city persons of desperate character guilty of Arson & Robbery at home, to keep the country clear of such, they would report that Alo' & 'Ahone and the two women set forth in their statement hereto annexed marked A are of such repute that they refuse to leave the Country, they further represent, that it is dangerous to the Community for them to go at large and desire that the said Alo' & Ah'hone with the two women be taken in Custody by the Vigilance Committee and be sent out of the Country

A'sing and Lipscom propose to put them in our Custody pay all expenses in keeping them, procure a passage for them pay for it and send them away under our direction—these persons agreed to return home, Asing paid their passage after which they refused to go at all

N. Asing [Chinese signature follows]

Lipscom [Signed] Lipson[?]

Ordered that the said Persons be taken into Custody and sent out of the Country and the proceedings be reported to the General Committee

[Signed] S Payran
Presdt Ex Cm

[July 4, 1851]

Mr Woodworth's Letter in relation to the Chinese Prisoners.
July 4th 1851

San Francisco July 4th 1851Gen^t Executive Committee

I have examined the evidence adduced on behalf of the defense of the Prisoners "Aloh" "Sinco" & "Ahoe Si" and am satisfied that there exists on the part of plaintiffs a conspiracy to deprive the above named persons of their liberty and reposing confidence in the wisdom of your body, I trust that the simple application for their release, here made will meet with your ready assent, as I believe the above charge can be by me proven, should you be disposed to hear the evidence⁶

I have the honor to be

Very Respectfully Your Obt Servt

[Signed] S. E. Woodworth

Mandrin of the Celestial Empire And China Consul

[Endorsed:] Filed July 4th 1851

R. S. Lamnot. report in relation to Joseph Shaw

Joseph Shaw. 5 feet 10 high—rather light complexion—brow hair & large whiskers—slight build. Came from Sidney with about 60 lbs spurious gold dust & a keg of bogus dollars, went away from San Francisco about 1st June. for Sacramento or Stockton when in San Fran. was always followed by two greyhounds.

Information given me by William Low[?], baker Pleasant Valley.

[Signed] R. S. Lamnot, N^o 49[Endorsed:] Filed July 4th 1851

⁶ Woodworth's connection with the case is interesting. The *Alta California*, May 12, 1851, spoke of him as the "Agent of the China Boys," which may explain an earlier paragraph (*Alta California*, March 6), noting that "A letter was received a short time ago by Hon. Mr. Woodworth, Chinese Mandarin in California, in regard to a woman, Atoy, who had left her husband and run away to California." The titles "Mandarin" and "China Consul" unquestionably denote a commercial, rather than a diplomatic relation. Mr. F. A. Woodworth of San Francisco, a son of Selim E. Woodworth, informed the editor, under date of November 20, 1915, that his father was never in China, and held no official appointment from the government of that country.

[July 4, 1851]

Mrs Mc Lean in relation to Fire. July 4th 1851

Friend Schenck

There is a lady (a Mrs Mc Lean) who can give the Commty a description of a man who attempted to set fire to her house yesterday

Yours truly

Ben

[Endorsed:] Filed by Mr Schenck.

[*Resolution concerning C. H. Welling*]

WHEREAS the following annexed advertisement ⁷ has appeared in the *Stockton Journal*, therefore be it

Resolved that No 237, a gentleman bearing the same name be requested to explain to this Committee the facts of the case & whether he is the man alluded to or not

"CAUTION.—The public are hereby cautioned not to trust or put any confidence in a smart looking young man calling himself Charles H. Welling, as he has collected money for the *Journal* in San Francisco, with which he has absconded. He has also collected money for the Sacramento papers, for which he has never accounted. His whereabouts is at present unknown."

July 2

offered by D J Thomas Dep Mar. No 4

SATURDAY, JULY 5, 1851

MINUTES

Report & Minutes of Executive Committee July 5th 1851 from 9 to 12 OClock

At a meeting of the Executive Committee held pursuant to adjournment this 5th day of July A D 1851 Present at 9.

⁷ A newspaper clipping is pasted below this resolution, and as it shows the date of the insertion of the advertisement, it gives a slight clue to the place of this undated paper in the files of the Committee. Welling's name is annotated "Absconded" in the *Book of Names of the sergeant-at-arms. Papers of the San Francisco Committee of Vigilance of 1851, I.*

[July 5, 1851]

Adjourned O'Clock A. M. James Ward J. F. Spence James F. Curtis
Charles Brindley George Oakes Isaac Bluxome Jr W.
L. Bromley Thomas Mc Cahill Stephen Payran E. Gorham
Meeting called to order, Sullivan Witness against Stephens
did not appear,

In the matter of Goff or Gough to appear this day at 8.
O'Clock P. M. also that Mr Marsh appear to testify

Ordered that the Chief of Police procure Irons suitable to
secure the Prisoner Stephens,

In relation to information touching Zine House it was or-
dered that Chief of Police detail a Guard to examine Premises,
and if circumstances are suspicious to arrest all suspicious
Persons

In the matter of Alexander Wright a Passenger per *John S.
Potter* it being ascertained that he is a dangerous character, it is
ordered that he leave the County,

Confession of Wright filed.

Ordered (in the matter of Stephens to procure further Evi-
dence and accomplices) that each Member who has not a Horse
shall get one at the expense of the Committee, and that a Car-
riage sufficient to contain four Persons, to convey Prisoner and
three members &c see resolution filed.

Resolution of Committee in relation to Horses & Carriage, to
convey Stephens alias Stuart & other purposes

Resolved that each member who has not a Horse shall get one
at the expence of the Committee,¹ and that there shall be a car-
riage procured large enough to hold four persons, one of which
shall be the "prisoner" and the other Three shall be Mr Oakes

Mr Brinley and Mr Bromley and that the balance of the com-
mittee shall procede in pairs of Two so as not to create any pub-
lic surprise

[Endorsed:] Filed July 5 1851

The offer made by J. Clarke Esquire through S Payran Presi-
dent of Executive Committee to appear as Counsel in any action
or actions at Law accepted & a vote of thanks awarded, Card
filed

¹ See vouchers No. 13 and 73, pp. 774, 789.

[July 5, 1851]

Adjourned until 8. OClock P M of this day

[Signed] S Payran

Presdt

Mr Rehfish—introduced—a member of Marysville Committee—gives information respecting one Murray—whipped and turned out of the town.

[Signed] C. H. Brinley

Secy

[Endorsed:] Filed July 5th 1851

Minutes Ex Committee Afternoon Session

Present Mr Perin [Payran], J. Ward, Brindley Oakes, Spence, Bluxome

The Sergeant at Arms was called before them, was informed that Mr Brannan felt himself insulted by the conduct of the Sergeant at Arms—The Sergeant at Arms Mr Mc Duffie, has expressed his regret that Mr Brannan should feel hurt at his action, and positively denies any intention or desire to give offence to Mr Brannan.

Thereupon resolved that a copy of the proceedings be sent to S. Brannan Esquire

San Francisco July 5th 1851

Report Ex Committee July 5, 1851

And now July 5th 1851 Executive Committee convened agreeably to adjournment Present S. Brannan C. H. Brindley Thomas Mc Cahill George Oakes G. E. Schenck James F. Curtis Isaac Bluxome Jr W. L Bromley J. F. Spence E Gorham Stephen Payran Mr Woodworth

On motion and carried— That Sam Church be turned over to the Commanding Officer at Benicia with such testimony as we have elicited, with a communication to the effect that he does not come under our cognizance.

Resolution respecting Sergt Mc Duffie—in his conduct toward Mr Brannan—laid upon the table—No further action to be taken upon the subject. passed—

Motion, and carried— That the Sergt. of Arms hereafter receive all his orders from the Ex: Com:

[July 5, 1851]

Information received respecting Hennessey—on motion carried—that Chief of Police be instructed to arrest immediately—order for arrest issued—

Information rec^d from Frank Ball in relation to one "Jenny about town" be placed on file—motion made & carried—

Moved that No 238 [W. A. White] request Geo. Book to appear before the Ex Committee tomorrow morning at 9 o'clk to give testimony relating to Ben the Negro—

Examination of John Gough Commenced and concluded

Ordered that Gough be ordered to leave the County in five days from the 7th of July instant—and that the General Committee be recommended to that effect

Letter received from Tho^s Dalgren of date July 4th—ordered that his letter be answered by Secy of Ex Committee—stating that he is requested to appear before the Ex. Comm & that he shall be assured that he shall leave our room unharmed & unmolested—

Ex. Police Officers McCarthy, McIntire & Thorp gave testimony in relation to Prisoner Stewart alias Stevens Prisoner was present at the examination also the H. B. M. Consul Mr Aiken who heard the examination Testimony placed on file²

John Sullivan witness in Stewart case introduced, his testimony of yesterday read to him and direct examination resumed & ended

There being no further business the Committee adjourned to meet at 1/2 past 9 O'Clock A M of the 6th July

[Signed] S. Payran

Minutes of Gen^l Meeting July 5. 1851

Minutes of Committee of Vigilance July 5, 1851

On motion Mr Selim Woodworth was called to the chair—

The testimony in the case of Sam^l Church together with the report of Ex Com was read and placed on file—

Testimony in case of Alexander Wright a convict with re-

²The policeman refused to identify Stuart. Thorp's testimony is reprinted from the *Herald* but no copies have been found of McIntyre's and McCarthy's. (See also Stuart's confession, note 31, p. 234.) George Aiken was the British Consul in San Francisco at this time.

[July 5, 1851]

port of Ex Com—was read and accepted—On motion Mr Wright was brought before the Committee and sentenced to be sent back to Sydney—and never to return—

Testimony in case of John Goff together with report of Ex Com was read and accepted On motion Mr Schenck Mr Goff was brought before the Comm—and received his sentence—which was, that he leave the state of California in five days from date

Petion of Victor De Gray was read and refered to Mr Deleseret—

Report of Prison Committee was read and accepted— On motion of Mr J C Ward

Resolved—As the amount wanted by the Sheriff to complete the Goal could be made up by each of our members obtaining 10 subscribers at \$3 each—That a committee of the whole take up subscriptions for carrying out this object— Carried

On motion of Mr [. . .]

Resolved—that a committee of Three be appointed (from volunteers) to waite on Mr Metcalf & Mess Lockwood, Tilford and Randolph acting as council for the prosecution in the case of Metcalf vs Argenti—Atkinson & others and they are hereby directed to request those Gent to withdraw the suit and decline further proceedings in the matter touching this case—The following Gent were appointed the committee Mr Middleton—Mr Sharon—Mr Brindley³—

Mr Alexander Murray desired to withdraw his name from the books of this committee in consequence of ill health—It is ordered that Mr Murray be excused from duty until he recovers in health and his fines be remitted—

On motion of Mr Brannan—

Resolved—That Mr Salmon the Ex treasurer of this Committee hand over to Mr Deleseret the books & papers together with all moneys he has in his possession belonging to this Committee

On motion

Resolved That a Committee of five be appointed to hear the excuses of Delinquent members—

³ For the response to this application, see p. 210.

[July 5, 1851]

On motion

Resolved That the Finance Committee make a full report to Gen^l Com of their present liabilities & assets together with the manner in which the moneys have been expended—

On motion of Mr Brindley.

Resolved That the Chief Marshall detail a guard to keep watch on the outside of this building every night—

On motion of Mr [...]

Resolved that the following be published in all the papers⁴—

Preamble—It having become necessary to the peace and quiet of this community that all criminals and abettors in crime should be driven from among us, no good citizen having the welfare of San Francisco at heart, will deny the Committee of Vigilance such information as will enable them to carry out the above object—nor will they interfere with said Committee when they may deem it best, to search any premises for suspicious characters or stolen property—therefore—

Resolved—that we the Vigilance Com—do claim to ourselves the right to enter any person or persons premises—where we have good reason to believe that we shall find evidence—to substantiate and carry out the object of this body—and further deeming ourselves—engaged in a good and just purpose—we intend to maintain it.

On motion of Mr Woodworth

Resolved—That the Secretary be directed to prepare a notice to Ship Masters—calling their attention to a Resolution of this Committee in regard to the prohibition of landing convicts within the limits of the State of California and suggesting to them the expediency of requiring every passenger brought from any of the penal Colonies of Great Britain to be furnished with a certificate of Character from the Government authorities or of the American Consul at the port from which they may embark and assuring them of the determination of this Committee

⁴ This notice appeared in the San Francisco papers, July 7 to 9, dated "Vigilance Committee Rooms, July 5," and subscribed "By order of The Committee of Vigilance, No. 67, Secretary." The words "We intend to maintain it" were printed in capitals for the sake of emphasis.

[July 5, 1851]

to prevent the landing of every such passengers as may not be furnished with such certificates

[Signed] I Bluxome Jr
Secretary

On motion of Mr Middleton

Resolved That a Committee of Three be appointed to investigate the difficulty between Mr Sam^l Bannan & Mr M^c Duffee Sergt at Arms—The following are the Committee George Howard—Sam^l Haight, John F Spence

MISCELLANEOUS PAPERS

Room Guard for Saturday Night to Sleep in Room⁵

9 to 12	H. P. Jones	✓ ×	
	Simon Haber		up the Country
	F. R. Bunker	×	
	G. W. Harris	×	Wethered
	L. F. Oakley	✓ ×	Oakley D. L.
12 to 3	G. W. Schultz	✓	
	(1½ [hour at] door)		Jno G M ^c Karaker
	R. W. Nevins	✓	
	T. R. Loomis	×	W ^m Reynolds
	[J. S. Wethered]	✓	Major Graham
	J. Pendergast	×	
3 to 6	(Door) Jos Porter	✓	present
	C. H. H. Cook	×	Hockofler
	(Door) H. Gerke	✓	present
	F. Hoen	✓	present
	J. H. Levien	✓	present

⁵ This is the only detail of guard duty which has been preserved among the papers of the Committee. The check ✓ shows that the member was present, and ×, indicating absence, is followed by the name of a substitute. Three names are doubly checked, as if in correction, and the one in square brackets is crossed out. The document is in the writing of Van Bokkelen, chief of police, and from such lists the sergeant-at-arms compiled his account of the fines due from members who were absent from guard duty.

[July 5, 1851]

6 to 9	John Dennis	✓ ×	absent	De Long
	(Door)—J. M. Swift		present	
	D. M. Lansing	×		C. S. Simpson
	A. T. Eastbury	✓	present	
	C. C. Richmond	×		Jacobs

The above will please report to Chief as soon as they come in the room

J. D. Wilson	}	1 o'clock	outside
Noah			
Atkinson	}	1 to 4 o'clock	
Raynes			

[On the back of this sheet are some carelessly scribbled repetitions of words and dates, a pen and ink profile sketch (unnamed) and the following notes:]

R. W. Nevins Cunninghams Wharf

Vigilant Committee of San Francisco California July 5th 1851

539 W F McLean—this man must not be admitted in the room. for Explanation apply to

152. [W. C. Graham]

297 [R. W. Nevins]

152 complained of Mr F McLean of an improper conversation with two Policemen—[Signed] P. P. [Paul Petrovits]

472 J. D. Wilson said he had an information that one of our numbers said to a suspicious character he would release him should he ever get into trouble provided he would not mind 100 or two \$—[Signed] P. P.

Alexander Wrights Statement

Alex Wright— left Dublin in the ship *Clyde* a convict ship, and as a convict—got into a row, and struck a man with a quart pot, and injured him severely—for the offence, was tried and sent to Sydney for 7 years.—left home in 1838—became free in 1845, and since that time have behaved myself properly—

[Endorsed:] Ordered sent back to Sydney—he having been a convict * July 5 1851

* See voucher No. 5, p. 772.

SAN FRANCISCO COMMITTEE OF VIGILANCE OF 1851 181

[July 5, 1851]

J Clarke Esquire. Tender of professional Services. July 4th 1851

San Francisco July 4th 1851

Mr Payran

Dear Sir Should the vigilance committee, or any of its members, as such, require any services or assistance from me within the line of my profession, they may command them at any time and to any extent.

I feel some little scruples upon the score of delicacy, in making this tender, but relying upon your prudence I will say that you may make such use of this communication as you may think proper,

I am very respectfully

Yours &c &c

[Signed] J Clarke⁷

[Addressed:]

Stephen Payran Esq

Present

[Endorsed:] Filed July 5th 1851

Brannan's Resignation

To the Vigilance Committee

Gentlemen It is with feelings of regret that I am compelled to offer my resignation as Presiding officer of your honorable body and also my membership of the Executive Committee, which has arisen from very unpleasant circumstances with feelings of grateful respect for your past confidence⁸

I remain yours respectfully

[Signed] S Brannan

[Annotated:] On motion of Mr Middleton

Resolved that a committee of three be appointed to in-

⁷ Jeremiah Clarke, counsellor. Kimball, *S. F. Directory*, 1850.

⁸ No explanation is made of the misunderstanding between Brannan and McDuffee which prompted this note. The communication sent in reply to the resignation was sealed with a wafer, probably delivered by Petrovits and later returned to the secretary for preservation in the files. Brannan continued his work for a few days, but on the 8th finally withdrew from the Executive Committee, and gave up his position as president of the General Committee.

[July 5, 1851]

investigate the difficulty between Sam^l Brannan and Mr M Duffee
Sergt at Arms. The following are the Committee—George
Howard Sam^l Haight John F Spence

[Addressed:]

To the Secretary of the Vigilance Committee

Ex Committee to Sam^l Brannan, July 5, 1851

And now July 5th 1851, At a Special Session of the Executive
Committee convened for the purpose of enquiring into the
differences between S. Brannan Esquire and the Sergeant at
Arms Present

Isaac Bluxome Jr

J Ward Es^e

George J. Oakes

J. F Spence

C. H. Brindley

Stephen Payran

Presdt

The Committee having organized, notified Mr M^c Duffee Ser-
geant at Arms to appear, and being informed that Mr Brannan
felt himself insulted by his conduct, Mr M^c Duffee expressed
great regret that Mr Brannan should have felt hurt at his action,
and positively denies any intention or desire to give any offence
to Mr Brannan

Thereupon resolved that a copy of the proceedings be sent
to S. Brannan Esquire

San Francisco July 5th 1851

[Signed] Stephen Payran

Presdt

[Signed] C. H. Brinley

Secy. Ex: Com:

San F. July 5th 1851

Dr Sir

We herewith send you a copy of our proceedings and trust
that you will take into consideration our prompt action in this
matter and sincerely regret that anything unpleasant should
have occurred to mar our peace, we earnestly desire that you will
be with us this Evening, and not allow this matter to interfere

[July 5, 1851]

with our business, in the name of my Colleagues I tender you
their and my Esteem and respect

[Signed] Stephen Payran

Presd^t

[Addressed:]

S Brannan Esquire

Present

P. Petrovits

[Information respecting Hennessey]

John Morris. States that he was robbed at Angel Island—
has found the articles in the possession of John Hennessey North
Beach who acknowledges having stolen them & wished to pay
for them—Mr Morris resides at the head of Montgomery St be-
tween Vallejo & Kearny St in a clump of Buildings between
Montgomery & Kearney St about Vallejo St.

[Annotated:] Acted upon C H B[rinley]

Policeman Moore Report in relation to Burns

Claytons Saloon

Policeman Moore states that he knows where the notorious
Sidney thief & burglar Burns alias "Jimmy-about-town," is and
will put him into the hands of the Committee if they will pay
the expences of going to Sac city, and in case he fails to do so
will pay back the money. Being a policeman he does not wish
it known if he puts him in the hands of the Committee.

[Signed] Frank Ball

[Annotated:] Acted on—to be placed on file C. H. B[rinley]

[Endorsed.] Ordered to be filed

Goff's Statement

John Goff—Statement— I have resided in New South Wales
—I dont know Judge Forbes—I think I know a man by the name
of Foss—I kept a Grocery store in a town called Winsor—I never
bought any goods from Mr Foss—but I have taken goods from
Mr Foss store to people in the county—I was born in a town
called Huntington Eng—I left Eng in the year 1822 or 1823—

[July 5, 1851]

I was sent from Eng. for house breaking I was assigned to one Smith at Hunters River—I was not transported to Norfolk Island—I never worked on the Gaol—I came from Sydney here—I never knew Judge Forbes—I was transported for life—I got a ticket of leave from the government to work at any part of the Colonies or any other country except Great Britain—I think I was about 23 years of age when I left Eng

[Signed] John Goff

Re examined I have been here about 16 months in the Ship *Victoria*, we had about 200 passengers, I knew some few of them, there were some convicts amongst them, I have a wife and family, also brought, James Smith and Wright (Wright died) Wrights wife is here, James Smith is at the mines do not know where, do not correspond with him, Berdue the man now being tried for murder at Marysville also came in the ship I never heard any harm of him at home quiet on board the ship had a wife at Sydney. I have seen him several times since he has been here, he brought four or five pounds of Gold Dust which he left at my House, I do not recollect the names of any others, I never saw (Stevens the Prisoner before) it is not Berdue some slight likeness, Berdue is a shorter man, it was about ten months since Berdue deposited the Gold Dust with me I never knew Jenkins—never knew Byrnes I keep the Panama House, have kept no other place, Berdue sent back for his wife left his direction in my Book I cut it out. I weighed the Gold Dust (Thomas Berdue City of Auburn Dry Diggings to be found at the German Bakers there, write to the care of Mr . . .⁹ store keeper) I knew Wildred I lived near him at Windsor, I was on intimate terms with Berdue and Wildred in this County—Wildred has gone home I received a Letter from Wildred wife some of the Police have always boarded at my House, ever since the Station House has been erected the Police have boarded with me. she writes to say that we must excuse her not calling on us—he will produce the Letter¹⁰ she sends an order to draw 6 or 700 \$ on Lawyer Macallester

Attest S Payran

[Signed] John Goff

⁹ Illegible.¹⁰ See p. 250.

[July 5, 1851]

[Endorsed:] Ordered that Goff have notice to quit within five days from the 7th July A D 1851

[Signed] S Payran

John Goff— I do not know Judge Forbes—I know Mr Marsh—I knew him in Sydney—about the years '30 to 33.—Mr Marsh called at my place—told me he had some butter for sale. I bought the Butter. I paid him £100 on a/c. The Butter was worth over £200—I have never paid him the balance I knew Mr Foss—and carried goods for him into the country—merely acted as carrier I never bought goods of him—I dont know his Porters name—I kept grocery store in Sydney about 3 years. That was about 10 years ago. I came to Sydney from Hunters River—I lived at Smiths at Hunters River about 8 years—Mr Marsh did not reside at Hunter's River—I knew Mr Rodd—dont remember the name of the Governor who was at Sydney when I first arrived there—The last Governor's name was Fitz Ray. I served him with poultry. I never was at Norfolk Island.

[Signed] John Goff

[Vermeere, alias Morris]

The attention of the Committee is called upon the man Vermeere who goes here by the assumed name of Morris, is a belgian by birth and is *Goff's son in law* since about a year.

He has a partner called White An Englishman by birth [annotated: This is not true] whose antecedents are not known; the means of existence of these two men are very suspicious they formerly lived with Goff in his house [on] Mission St. which belonged to Vermeere alias Morris who says he sold it. Vermeere alias Morris, now lives on board a Storeship moored somewhere in the neighborhood of California Wharf; he says the Storeship belongs to him and has been heard to boast of having earned lots of money since he came here and of having on board a full cask of coin. He is ostensibly engaged in lightering ships. He uses every endeavour, without great success, to get acquainted with & considered by the most respectable of his own countrymen residing here. He is about 38 years old, about 5 feet 9 in. high,

[July 5, 1851]

strong built, broad shoulders, light brown hair, round face dark complexion, greyish blue eyes.

White, his partner is about 4 ft. 7 in. high, rather fat & strong, round face, fair hair about 36 years

Thos Dalgreen [Theodore Dahlgrén]. July 4th 1851

San Francisco 4 July 1851

To the Comm^{ee} of Vigilance

Gentⁿ. I beg to be released from the restraint under which you have placed me & my personal effects & ask of you in all good feeling that I be permitted quietly & peaceably to leave the country, so that the matter may be put forever at rest.—I firmly disclaim any intention of ever having wished to injure or offend any one in this community & if I have done so, it has been unintentionally, unwittingly; that many of my acts be susceptible of being misconstrued to my disadvantage, may be the fact, but aforethought or depravity of heart has never had aught to do therewith—misfortune, nay even error may have been mine, but both are the lot of almost all of us—perhaps of some among yourselves—The property in your possession is rightfully mine & I cannot believe that you wish to add to my misfortunes, crimes if you wish, by an act of injustice, such as withholding my property—Your detention of me here, can even with your construction of my character, be productive of no benefit to me or to any one—

I have no very intimate friend in this community, but I think that Dr Hastings, a friend of my brother's will be willing to guarantee my compliance with what I herein propose

Very Respy

Yr Ob^t. serv^t.

[Signed] Th Dahlgrén

List of my baggage—

- 1 sea chest. painted lead color—
- 1 Brown Leather Trunk marked T. D.
- 1 Camphor “ “ “
- 1 Green Box of charts “ “
- 1 Large Canvass Bag of clothing

[July 5, 1851]

- 1 Roll of Bedding
- 1 small package of clothes in a hammock
- 1 Glazed leather Carpet Bag
- 1 Leather Valise of Tools
- 1 U S Rifle
- 1 New hat in Box
- 1 Sextant in Case
- 1 Wash hand-basin painted green

[Addressed:]

To The Comm^t of Vigilance of Sanfrancisco

[Endorsed:] To be answered by Secy Ex. Comm pr Minutes
of that body—

Placed on file

Tillman P. Ranger. San Francisco July 5, 1851

Private

July 5th 1851

Vigilance Committee Room San Francisco

Col Davis

Dr Sir We have learned with pleasure that you have organized a Committee of Vigilance in Santa Clara. There is already presented a case in which your committee may be of service to us. There is beyond doubt amongst us an organized band of Counterfeiters whom we desire above all things to detect. very heavy suspicion is resting upon an old man who it is said was once a citizen of Santa Clara. He calls himself Joseph Fosgill, but this may be an assumed name. You would probably know him best from description. He is about 55 years old quite stoop shouldered rather low & heavy built & pretends to be a little deaf. If any of your citizens should know any thing about the previous character & occupation of a man answering this description please communicate the same to me immediately—write to no one else not even to any other member of the Committee as this matter must be conducted with the utmost secrecy. by proper management we will soon be enabled to ferret out these scoundrels & when we find them wo be to them. You will discover from the *Alta California* of the 1st Inst that the authorities have one of them in custody. We have learned at the Ras-

[July 5, 1851]

sette House that you would be the most suitable person for the Committee to correspond with.¹¹

Please give an early reply. In haste yours &c

Tillman P. Ranger

[Addressed:]

Col. P J Davis

Santa Clara

[*Statements in relation to Stuart, alias Stevens*]

[From the Supplement of the *S. F. Herald*, July 12, 1851]

W. A. Thorp, *sworn*—I think I know him very well, the first time I saw him was in the Station House in this city for stealing a safe; I also saw him several times before this in and about town; it was after the Jansen affair, I never saw him since; he escaped out of the back door of the Station House the same time that Mathias escaped; he went by the name of Briggs, and some other name; I do not think that I can be mistaken in the man, to the best of my knowledge and belief this is the man; he looks a little like Berdue; I think Stephens is an inch or so taller than Berdue; hair about same color; Stephens wears his hair and whiskers longer than when I first knew him; at the time I took persons into the prison to see Berdue, I saw prisoner, Stephens, there.

Cross-Examined—I decline asking questions.

George Bostrick, negro—I know Wm. Stephens; he came down with me on the steamboat *Star*, from San Jose, about three or four months since. I know he was arrested for stealing money on board; the money was afterwards found in a water-cask in gold dust; don't know the amount; will not swear that this was the one who stole the money, but he was arrested for it. I am at work for W. J. Sloane at the head of Washington st

Thomas Cunningham.—I know the prisoner by sight; saw him on the steamer *New Star* in San Francisco; and confident this is

¹¹ The *Alta California*, July 1, reported the arrest of an Italian for passing spurious gold pieces, and the paper urged the police and citizens to ferret out the band of counterfeiters who were supposed to be flooding the city with worthless coins.

[July 5, 1851]

the same man; was on board Sunday morning when the prisoner came for his money; have had some conversation with Capt. Sampson in regard to him. He demanded his money. Capt. Sampson asked me what he had better do; I advised him to see some of the committee. The prisoner asked me what the hell I had to do with it, and should hold me accountable for anything I said in regard to him. Capt. Sampson stated that he was afraid if he detained the money this man or his associates would injure his vessel. This was said during the previous conversation. Capt. S. cautioned me against irritating the man as he had his hand on his pistol. The prisoner said he could establish a good name at San Jose and Santa Clara; he again demanded his money of the captain. At this moment noticed Capt. Baker passing; said I'll step out and speak to him. Stephens said before this if you do not give me my money I'll attach your boat; Stephens said I am very anxious to go to Monterey on horseback and want my money; I have got to be there Monday night. I think this happened on Sunday morning; the boat was one day over her time; had got aground; this occurred about half-past 8 Sunday morning. The owner of the \$1000 had left in the Panama [steamer] for Monterey. The captain saw Mr. Baker; left Capt. Peterson and me in the cabin; the man was nervous after the Capt went out. He said "I'll be damned if I'll be troubled more about this business; I'll have the money and prosecute the boat first thing in the morning." After walking up and down the cabin several times he started out and went on the wharf, when Sampson called him back and said, as the man has gone to the States we have concluded to give you the money. He said 'tis best for you to do so before the Committee men come along; I told Captain Sampson that he did not seem like an innocent man, and that I should publish it if I were in the matter and bring the man before the Recorder; this man then seemed anxious to get off. Mr. Wadsworth, engineer, and all the crew of the boat I know. When the man and Captain came back they went into the office and the Captain took the bag; the bag was sealed; said to contain about \$380; the man had in his pocket a specimen. Capt. S. wrote a receipt for this money stating how he had received the money from the Committee. This man signed the re-

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ceipt, I witnessed it; this man's name is not Stevens; I can swear he did not sign that name. The boat was robbed the next trip, Tuesday night, after she arrived, of money between \$200 and \$600; the little window was cut open and the desk broken into.

Cross-examined, by Stevens—You told the Captain you wanted your money; you did not tell him you were ready to go with him that morning, to my knowledge; I don't recollect that the Captain said that the man was to go back with him to Santa Clara to show where he got the money. I am shipmaster in command of the American brig *Lion*.

Dura Wardsworth, *sworn*—I came down on the steamer *Star* about the first of February; as we were coming down we ran aground on the bar and remained there over night; after midnight, I turned in and went to sleep; the captain remained on deck until 3 o'clock. A. M., and between 3 A. M. and daylight, the dust was taken from the valise; Stephens was suspected because he had on a coat unlike all the other passengers, of India rubber; another reason was, that one of the passengers thought he felt some person feeling in his pocket, and reached out his hand and felt the India rubber coat. The fine dust of Stephens', about \$400, compared favorably with the dust lost, and the amount found made up the amount lost; the value of the specimen found on prisoner was about \$200; a committee was chosen to search for the dust; the owner of the dust went directly to the steamer for Panama, without coming on shore; Capt. Sampson was master of the *Star* at the time; is now on his way home; there were 15 or 16 passengers on board; all on board thought this was the man who stole the money.

Cross-examined, by Stephens—All on board, from captain down, including passengers, were searched; one passenger besides the prisoner had gold dust with him; the engineer also had dust; I think Stephens had about \$320 besides the specimen; don't recollect that the prisoner Stephens promised to go back on the return of boat; the gentleman who lost the \$1000 said that Stephens informed him that he had but \$12, of which he intended to give the stage driver \$2 for bringing him down and the balance (\$10) he intended to give the captain for bringing

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him to San Francisco; Stephens was showing a Spaniard sitting next to him a quantity of coin (several pieces) which called forth the foregoing remarks. One other bag of dust was given with Stephen's bag to the captain; I did not see either bag given up by the captain.

Direct examination resumed—The amount of dust found in the bag of the other passenger was about \$600, about \$200 more than was taken from the \$1000 bag; I saw the bag of dust taken from the water-cask; the owner recognized the bag immediately, and remarked that some had been taken out; the owner said that he had lost \$1,000, and the amount found in the cask and on the prisoner made up the \$1,000; never saw prisoner before I saw him about San Francisco.

Robert Pollock, *sworn*—I have seen Wm. Stephens before; he was a passenger on the steamer *Star* with me from the Embarcadaro of Alviso, about the last of January or first of February, 1851; on coming down, we ran ashore on a sand bank and were detained over night; after breakfast, I was walking the deck with him; we seated ourselves in front of the captain's office, and while there the bell was run for the passengers to go into the cabin; I did not know what for; we were then informed that a valise had been robbed of one thousand dollars in gold dust; a motion was made by one of the passengers to institute a search; a committee of three were appointed to conduct the search; in searching the passengers, the amount of money was not found on any person; the prisoner Stephens had gold dust in a leather bag, and a large lump of quartz rock and gold; can't state positively as to the quantity of quartz or gold, it is so long since; the committee took in charge the dust found on Stephens; the committee then searched the steamer; I gave them the key of my trunk; afterwards, the committee called me and told me my trunk was open; after they had searched the boat, the passengers all commenced a search; one of the men belonging to the steamer felt in a water cask and found a bag of dust; it was given to the committee; the dust was then compared with the dust taken from Stephens; \$600 were taken from the water-cask and about \$400 from Stephens; the committee kept the dust

[July 5, 1851]

taken from Stephens, believing it to have been stolen; the committee advised a suit at law to be instituted against Stephens; the man who lost the money came here on his way to go home in a steamer, and did not wish to be detained; the gentleman left the \$400 in the hands of the captain of the steamboat, to give the prisoner an opportunity to prove where he got the money; the prisoner promised to return by the boat next trip to show where he got the money. I swear positively this is the same man.

Cross-examined, by Stephens—I did not weigh the dust, but was told that it was about \$400; don't think any other persons had their money taken from them; I think the engineer had some dust taken from him also, but I saw it handed back to him.

Direct examination resumed—I don't know that the prisoner returned by the steamer.

Mr. Pollock lives on Stockton street, above Sacramento street, on Mr. Winner's property.

Statement of William Stephens—I do not recollect the date, but think it was about the 1st of December; we started about 9 A. M. from the Embarcadero. The next morning it was reported that a man had lost \$1000; all the passengers were called below for the purpose of being searched; a bag of dust was taken from me, another bag from one of the other passengers; the contents of both bags were turned upon the table, and the owner of the lost money could not tell which belonged to him. I told them I had about \$630 in my bag; the other person had just \$600. I requested the captain to take possession of both bags, and seal them, which he did. A search was then made about the vessel; one of the sailors found a bag of dust in the cabin; our bags were then returned to us. The person who lost the money stated that it was not all there, that some had been taken out; it was then put upon the stand and laid out and weighed. The amount was \$625. Mine was then weighed, \$618—the other passenger's weighed \$600. It was agreed then that both bags were to be detained by the captain until I could return with him to San Jose, to prove that it belonged to me. The next morning I went down to the boat to return with the captain to San Jose. The captain was not

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ready to go. I told him he could do either of these things—give me my money or put me in the hands of the marshal, else I should stop the boat. The captain returned me the money. I then went to Mr. Miles, and exchanged my dust for coin; I hired a horse to go to San Jose to meet Smith the gambler, to accompany him to Monterey. Smith had left town. I have not seen him since. We have kept a monte bank together. I worked for Gilroy about two months; received of him from three to four dollars per day; spent this as fast as I earned it; had \$1300 when I commenced with Gilroy; had about this sum when I left; won about \$160 the same night at San Jose; left for San Francisco the next morning. Smith I believed to be an Englishman. I was told by Mr. Mathews that he had left the country. Smith left San Jose for Monterey Sunday morning; don't know by what conveyance; followed him by stage next morning. The gamblers at San Jose told me that Smith had left for Monterey; thinks that he might have known something to cause an immediate departure. Smith stands about five feet seven inches, dark complexion, dark hair, no whiskers. Have known him 8 or 9 months; first I saw him in Stockton, 16 months ago. I knew Snow and Brouer at Sonora, two convict men, miners. Went from San Jose to Sonora for the purpose of mining. Worked with two sailors at the mines, one called Frele; can't think of the other's name. I believe the late troubles at Sonora commenced the day I left for San Jose; have been into the French hotel at Sonora three or four times and gambled there.

Statement in relation to Ferries

The only ferries on the San Joaquin say from Graysonville—are above D^o [Graysonville] the first formerly known as Hardings Ferry. now Russell & Leggets 12 miles above Graysonville—the next Ferry above is & has been known for 12 mos.—by the name of Woods Ferry from 5—6 miles above Hardings & not less than 17 miles from Graysonville. Below Graysonville, is San Joaquin City or Town and there is no Ferry between the two places—about 2 or 3 miles above Graysonville & during the high water about 12 months ago—a Ferry Boat plied there owned by Van Dyke & Smith, Van Dyke now keeps a Livery

[July 5, 1851]

Stable in Stockton—the Boat remained there untill about the last March /51 when she was taken to Rich^d Riddle's Ranch, on the Toulamne about 6 miles above the San Joaquin—This Boat was not a Licensed Boat & was only used when the regular Ferry Boats could not be used on act. of high water—say in June & July 1850—this Boat never has been used as a regular crossing Boat, altho' neighbors to save distance would sometimes cross in her¹²

I James Montgomery hereby acknowledge the foregoing statement to be true & have known Mr Spence who takes my account as above for two [?] years—& he will answer for me

James Montgomery

July 4th 1851[Endorsed:] Filed July 5th 1851

 SUNDAY, JULY 6, 1851

MINUTES

Minutes of Ex^e Committee July 6, 1851 from 10, Morning Session

And now¹ July 5th 1851 Executive Committee convened agreeably to adjournment. Present J. C. L. Wadsworth Capt Garwood C. H. Brindley George Oakes J. F. Spence G. E. Schenck E. Gorham S Payran

10 OClock A. M. Minutes heard

Goff's time extended to two weeks—

Adjourned till 7. OClock P. M.

[Signed] S. P[ayran]

[Endorsed:] Filed July 6th 1851Adj^d till 7 OClock P M

¹² The information concerning ferries across the San Joaquin River was probably obtained in order to assist the Committee in verifying Stuart's statement, that he had walked from Sonora to San Francisco. An act of the legislature passed March 18, 1850, made it necessary to procure a license in order to operate a public ferry.

¹ This memorandum, in Payran's writing, seems to be an incomplete report of the meeting of the 6th, the date of the endorsement. The fuller minutes, following, were written by Spence, and those for the evening by Payran. Some confusion and duplication of records are noticeable on this date.

[July 6, 1851]

Sunday Mg Session

Present Garwood, Schenk, Brinley, Spence, Payran, Gorham, Bromley Wadsworth.

Received a communication from Mr Jn^o P Haff N^o 72. concerning the man Goff—in substance recommending that as Mr^s G was yesterday confined of twins that a little more time be allowed prior to send them out of the country. [Annotated on margin:] Recommended that Goff's time be extended to two weeks

Received a communication of W^m C. Graham N^o 152. being a complaint against W. F. Mc Lean N^o 539. he not being considered a fit member of the Vigilance Committee—N^o 152 states that this mg about 2. o'clock, found N^o 539. standing at the door conversing with two Policemen & heard him say that it was d—d infernal shame the action of the Vigilance Committee in the case of Goff. it was a d—d imposition & one he would not submit to—and farther stated, that Mc Lean said the day they go to put their decision into execution, that he would have the Boys about & release him²

Received communication of 472, to wit J. D. Wilson, said he had information that one of our members said to a suspicious character, he would release him should he ever get into trouble provided he would not mind \$100 or \$200—

Received report of N^o 188 [181 F. A. Atkinson] concerning the man Goff, may be a link in the case of W^m F Mc Lean [Annotated on margin:] Accepted and placed on file

In the Case of Church. appeared Lieut^t Derby to whom the minutes & resolution in the case of Church were read. Lieut^t Derby requested that we would detain Church until he could send a sergeant & file of men for him, which we promised to do forthwith. [Annotated on margin:] Accepted

Received the Report of Bela Dexter against Thomas Holt charged with stealing a Pistol—\$20. & obtg. money from John

² This complaint was first registered on the list of room guards, p. 180. McLean's name is omitted from the *Book of Names* of the sergeant-at-arms, and is annotated "Not to be admitted" on the roll of members (*Papers of the San Francisco Committee of Vigilance of 1851*, I). The Committee felt that it was wise to justify the banishment of Goff by publishing the full evidence in his case in the papers of July 18.

[July 6, 1851]

Endery, on an order given for advance for seamans wages \$50

[Annotated on margin:] Accepted & placed on file

Charles Fox—*Sworn*—Knows the Pistol, can prove to be his bought it & paid \$35. it was stolen from [him] at the Carlisle House by Thomas Holt—who went under the pretext of seeing the owner of the House. Board at the Carlisle House, kept by a man called Carlisle. will bring the person from whom I bot the Pistol—also the person who saw Holt steal the Pistol. am an Englishman came from New Zealand. have been always at the mines until now.

There being no further business before this Committee it was adjourned until 7 o'clock P. M.

[Signed] Jⁿ F Spence

Sect^y pro tem

[Signed] S Payran

Prest

Minutes of Ex^c Committee July 6 51

And now July 6th 1851 Executive Committee convened agreeably to adjournment at 7 OClock P. M. Present Mr Woodworth James Ward J. C. L. Wadsworth G. E. Schenck Capt Garwood Isaac Bluxome Jr C. H. Brindley Stephen Payran Mr Curtis

John Morris in the matter of Hennessey examined;

Letter of Lieut Derby received and read Order made by Ex^c Committee & confirmed by General Committee to remain. Letter to be filed without further action on the part of Executive Committee, Letter answered.

Hennessy directed to appear in relation to Morris charge of Larceny at 1/2 past 9. oclock P. M.

John Goff On motion it was resolved to reconsider the order in relation to John Goff's departure passed on the 5th inst., order rescinded

Motion carried extening time for John Goff's to depart this City to thirty days from the 7th July

John D. Wilson No 472 of the Vigilance Committee reported.

[July 6, 1851]

Report of W^m H. Jones in relation to Edward Allen ordered to be recorded & filed

Report of 238 [W. A. White] in relation to Book touching the Fire & Negro Ben Book not appearing, matter laid over until to morrow for further action

The Pistol No 13213 claimed & proven by Charles Fox is ordered to be delivered up upon signing receipt for the same to be witnessed by Carlile who proved the property

L. W. Sloat's report in relation to Judge Bennett refusing to grant Writ of Habeas Corp^{us} in relation to Stephens alias Stuart applied for by [...] Pixley ordered to be filed³

Adjourned to meet to morrow at 7 OClock P. M. without special notice be given by Sergeant at Arms to meet at another hour on special business

[Signed] S Payran

Chⁿ

Minutes of Gen^l Meeting July 6. 1851

Mr Selim Woodworth in the Chair—

The following Gent were appointed to receive the excuses of delinquent members—Dr. Tewksbury Sam^l W Haight Joseph Malone⁴ James S Wethered F A Atkinson

On motion Mr Brinley—

Resolved—That [in] the case of Mr Goff the matter be laid over until the meeting of Monday evening July 7.

On motion of Mr Jas C Ward

Resolved, That no reconsideration of a sentence (after it is passed) shall be in order unless a notice is given at one meeting that said reconsideration will be brought to the attention of the subsequent meeting—in other words that 24 hours notice shall be given to the members of this Committee of Vigilance—

On motion of Mr Norton

Resolved That no criminal shall be sentenced until he or she shall have an opportunity of pleading guilty or not guilty and assigning his or her reason why judgment should not be passed

³ See note 1, p. 214.

⁴ The name of Joseph Malone is not on the list of members. James R. [Rube] Malony, was number 250.

[July 6, 1851]

Report of Committee of 3 in the matter pending between Sam^l Brannan & Mr Mc Duffie the Serg^t at Arms was approved and no further action in the matter

On motion the thanks tendered to Committee and they were then discharged.

[Signed] I Bluxome Jr

Secretary

MISCELLANEOUS PAPERS

F Atkinson, case of John Goff. July 5, 1851

Committee of Vigilance (4 oc A. M.)

Information was obtained this evening by the un . . . from the Deputy Marshall of this district Mr . . . as also from Mr Mc Carty of the Police, to this effect that they had Boarded with Mr Goff, for the space of 9 mos, had known him for some-time previous, that he had always been an upright and honest man, since being in the country, that his wife was a first cousin to Stewart the dry Goods Merchant in New York, that two Respectable witnesses could be produced as to his good character, and that they would not see him driven from the Country, although, I learn that he is perfectly willing to go if necessary. These witnesses state that they are perfectly willing to state the above facts

No 181

[Signed] F A Atkinson

July 5th /51

[A corner of this paper is torn. The letter was addressed:]

To the Committee of Vigilance

The Serg^t at Arms will please have this presented to the Chief of Police Mr J L Van Bokelin

[Endorsed:] Filed July 6/51

Mr Dexter's Statement in relation to Holt

To the members of the Vigilance Committee,

Gentlemen On last Friday Evening I received information that a robbery had been committed, and with two other Gentlemen of the Committee proceed to ferret out the person, all the information we could gain was that he had been seen at a number of places and at one left a case containing a pistol &

[July 6, 1851]

fixtures, which was previously stated by Mr Rafferty one of the persons robbed, to have been stolen. We brought the case & pistol & deposited it with the Seargeant at Arms. No clue having been obtained until this day July 4th of his whereabouts, and that we have found out a sufficient number of witnesses who are well acquainted with him, and that he has not only stolen the Pistol but twenty dollars in money from a young man, and that he shipped for a voyage in the ship *John Gray* to proceed to sea, received his order for his advance which was fifty dollars from the shipping Master, Went to a Mr John Endery, told him he would proceed on the voyage, asked him to cash it as he wished to furnish necessary articles for the voyage. he Endery did so has never seen Thomas Holt since he Endery states that his arrest would be a blessing to the said Thomas Holt in person but more so to his *Parents* whom are quite wealthy and of Good repute.

The present residence of the Mr Thomas Holt has been pointed out some ten or twelve miles from this place—where he can be found if speedy action is taken upon it. all of which is most respectfully submitted to the Vigalant Committee by

[Signed] Bela Dexter

[Endorsed:] Filed

San Francisco July 6. 1851. Geo H Derby Lt. Top. Engineers
Room of the Vigilance Committee
San Francisco July 6 1851

To the Executive Committee

Gentlemen It appears from the evidence in the case of Samuel R. Church that the horse stolen from me was sold by him to a person of the name of Green in Sacramento City who is described by Church in his confession, I understand that a similar organization to your own exists in Sacramento and if not asking too much (emboldened as I am by your previous kindness to me) I now request that you bring this fact to their notice as they may be able to recover the horse, which is to me an extremely valuable animal, I am ready with pleasure to remunerate you or them for any expense that you may be at on my account—

[July 6, 1851]

Allow me at this time gentlemen to express my indebtedness to you, for the kindness you have shown me personally and also my gratification as a citizen of the United States and an officer of the army at witnessing the promptitude with which you arrest and punish any attempt to violate the good order of society

I am gentlemen

with great respect

Your obdt Serv^t

[Signed] Geo H. Derby

[Endorsed:] Returns thanks to the Ex Committee for their kindness, & requests them to communicate a portion of the evidence in the case of Church to the Committee of Sacramento City

Lieut Derbys Letter. July 6th 1851

To the "Vigilance Committee"

Gentlemen In the case of Samuel R Church ordered by you to be turned over to the military authority I have to state that I am prepared to remove him according to your notification of this morning—I would however respectfully represent to you that this man by his own confession has committed a crime for which by the laws of this Country he should suffer death, that if turned over to us his punishment will be utterly inadequate to his crime, that judging from the well known desperate character of the man and his frequent successful escapes previously, I am satisfied that if turned over by you without punishment he will soon be at large among you again and in consequence I would respectfully request you to reconsider your action in his case

With great respect

Your Obdt Serv^t

[Signed] Geo H Derby.

[Endorsed:] Laid on the Table

Order by Exe^e Committee & confirmed by General Committee to remain

[Signed] S Payran Presdt

July 6/51

Answ^d

[July 6, 1851]

*Report of W^m H Jones in relation to Edward Allen ordered on
file July 1st 1851*

Edward Allen. A Coloured man. is now on board the Steamer *Pacific* daily Expected here in the Capacity of first Steward. he is from *Philad^a* known there to be a thief & a man Capable of doing any bad deed. he is a large powerful man. light Coloured.

W^m H. Jones

[Endorsed:] Ordered to be Filed & Recorded

[Signed] S Payran

July 6. 1851

In relation to Book & The Fire [Case of Negro Ben]

San Francisco July 5th 1851

George Book Resides in Washington Street above Stockton Street is to be found at the Butchers Shop in Washington St Says he was the first man at the Fire Saw the Negro coming down the Stairs Wished him to return to see where the fire was but he refused to go back and made his escape knows the man if he should see him

No 238 V. C. [W. A. White]

[Annotated:] order for Mr Book to appear tomorrow morning at 9 o'clock—

Sloats report [Case of Stuart]

L. W. Sloat informs me that he was in Judge Bennets chambers last night at 9½ to 10 o'clock when Mr Pixley applied to the Judge for a Writ of Habeas Corpus commanding Mr Van Brocklin to produce the body of one Stevens alias Stuart by him wrongfully held in custody, which writ the Judge refused alledging that the application should be made in open Court. I have since heard from another source that the same application was again made this morning & again refused on the same ground.

S. F. July 6, 1851

No 81 [D. J. Thomas, Jr.]

[Endorsed:] filed July 6/51

[July 6, 1851]

[Report of the Committee on Brannan's Resignation]

The members of the Committee appointed to examine into the difficulty between the Sergeant at Arms and the chairman of this Committee beg leave to report that they have examined into the matter as far as possible & find that the explanations given by the Sergeant at Arms of his conduct are satisfactory to them, that he did not intend to insult the chairman of this Committee—And they would respectfully recommend that the chairman be again requested in writing by the Secretary to withdraw his resignation and to give this Committee the benefit of his services which they deem so valuable to this Committee as well as to the whole of the order loving portion of this community, and they would further request to report to the Genl Committee, the result of the action of a Special Meeting of the Executive Committee on the same subject held yesterday immediately after the charge preferred by the President—read then the report accompanying this— we are

Respectfully

[Signed] S. W. Haight

" J. F. Spence

" Geo. Howard

[Annotated:] Allowed

[Endorsed:] Accepted & placed on file. Committee discharged

MONDAY, JULY 7, 1851

MINUTES

Minutes July 7 1851

At a special Session of the Executive Committee held at 12 O'clock N. July 7th 1851 Present Isaac Bluxome Jr. G. E. Schenck W. Bromley J. F. Spence George J. Oakes Stephen Payran

Minutes of previous Meeting read Received communication from Paul Rosasco Master of the *Lady Adams*, as thus handed to J. F. Spence Esqre a paper which he picked up July 6th 1851 at Saucelito enclosed in a Bottle to wit—

[July 7, 1851]

"Whoever takes up this, I hope they will be kind enough to come and rescue a poor Female, who is kept a Prisoner on board of the *Izette*,"

[Annotated on margin:] On motion it is ordered that Capt Garwood & Gorham, go on board the *Polk* and obtain an officer to accompany them to the *Izette*, and make the inquiry touching the matter of the 'Female' related in the communication, & take with them such guard as they think proper—

In relation to the report made by the President of Executive Committee in relation to Yerba Buena, it is ordered that Capt Gorham & Garwood communicate with Capt Mc Gowan of the *Polk* touching said matter and request the attendance of Capt. Mc Gowan & all others knowing anything of the matter to appear at 8. OClock P M of this day

[Signed] S Payran

[Endorsed:] Filed July 7 1851

Presdt

Minutes of Ex^e Committee July 7 1851.—Evening Session

Present S. Payran Ward Woodworth Bromley Ellis
Bluxome Garwood Oakes Woodsworth Schenck Turner
Watson Brinley

Communication rec^d from Cap^t Patterson respecting the dept of 'Cameo' for Sydney on motion & carried—that a com: of three be appointed to ship Wright. Com: H. S. Gates, J. R. Maloney, C. L. Case. order issued—

Order given to Capt Garwood to detail guard to proceed with Mr Marks to arrest Adams if he can be found.

In the matter of the "*Izette*" reported by Mr Spence, Committee report that they made an examination into the matter, and found it untrue

Yerba Buena Island laid over for further action,

Statement of Hetherington (handed in by Mr Spence) ordered to be filed for further action¹

Adjourned to meet at 9. OClock A M of July 8th 1851

[Signed] S Payran

[Endorsed:] John Morris

Presdt

¹ This statement, filed July 8, is printed on pp. 242-245.

[July 7, 1851]

Minutes of General Meeting July 7, 1851

Mr Selim Woodworth in the chair

Report of Ex Committee in the Case of Mr Goff— accepted

On motion of Mr Geo J Oakes

Resolved—That Mr Goff have 30 days from time of arrest—to prepare himself to leave this state—

Report of Special Committee to wait on Mess Lockwood, Tilford & Randolph together with letter from the Gent—report accepted—and communication laid on table— Committee discharged

Report of Mr Delasaret committee of one in the case of Victor De Gray who petitioned the Committee for money for detention & disgrace as witness in the case of Mrs Robinson arrested on suspicion of arson— report accepted Committee discharged

On motion of Mr Jas C Ward

Resolved That a vote of thanks be tendered Mr Salmon for his services as treasurer

Report of Finance Committee accepted and placed on file

Report of Ex Committee in the case of Dalgreen—together with communication from him were read— report accepted

The following Gent were appointed a Committee [. . .]

On motion of Mr Malone

Resolved—That hereafter when any motion is made for a reconsideration of a matter previously disposed of by this committee that it shall require a two third vote of all members present to obtain a reconsideration

On motion adjourned

[Signed] I Bluxome Jr
Secretary

On motion of Mr [. . .]

Resolved—That a committee of 10 be appointed to enquire into the affairs of the County Gaol and investigate the frauds that have been practiced upon the people of the County and detect if possible those persons who have robbed the public treasury of the 150000.\$ that was appropriated for the erection of a County Prison—and to report at the earliest possible day

[July 7, 1851]

The following Gent were appointed the Committee W Fell
 Geo R Ward Saml Brannan Dr Gates E M Earle
 Maloney Benj Reynolds W L Hobson Co^l Jas Huie
 Robert Wells Geo J Oakes D E Thomas Jr

MISCELLANEOUS PAPERS

Finance report

The Committee on Finance report that the Funds now at the disposal of Treasurer is about \$800.

That the amount due in bills approved & not paid is \$920

That over 100 members are still in arrears for their initiation fees.

The late Treasurer has been prevented by indisposition from furnishing accounts to the period of his leaving office but the Committee feel assured that the same will [be] forthcoming without delay—The sum in his hands does not exceed \$125.

The Committee also report that the estimate for the monthly expenses of the "Committee of Vigilance" is as follows—

Rent of Room attendance & incidental expenses	\$1000.
Outside expenses	500.

Total	\$1500.
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The Committee also report that nearly \$1000 has been collected by the late Treasurer Mr Salmon from voluntary subscriptions which sum has gone far towards defraying the expenses of the Committee during the past month

All of which is respectfully submitted

San Fran July 7th 1851

[Signed]	W ^m H Jones	} Committee
"	Geo. R. Ward	
"	Eug Delessert	
"	Geo. J. Oakes	

[Endorsed:] accepted

Bills Due untill to day

Daguerrotype of Sydney people	\$24—
Barels of Oil	45—
Boats hire for John Potter	20

[July 7, 1851]

Different furniture	195
office Stationery	22
Posting Bills	12
Saddle Horse for the Mission	15
Our Servant Fee	60
Mr Macduffie fee	150
E Delessert . . . ² advanced	100
Carpenter work	200

 \$920

Mr MacDuffie has in hand \$700

James King of W^m. 123

 823

 \$823

due

 \$ 97

about 100 members have not paid their fee \$500

205 fines at \$5 1025

 Due to us \$1525

[Annotated:] Approved

[Signed] Eug Delessert

Treasurer

San F^{co} July 7th 1851

[Communication from Stephen Payran]

Sergeant at Arms of the Committee of Vigilance

Sir You are requested to show the enclosed Letter to any five of the Executive Committee of the Committee of Vigilance, most convenient to you, and if they order a special meeting to be held, to notify me of the time, by leaving notice at the Mansion House

Yours respect^y

[Signed] S Payran Presdt

July 7/51

I propose you should show this to Mr Spence, Garwood, Ward,

² Illegible.

[July 7, 1851]

Capt. Gorham. Brinley, Bromley, Curtis, Schenck, Ellis,
Bluxome, or any five of them

[Addressed:]

To Sergeant at Arms of the Ex^e Committee
Present

Statement in relation to Yerba Buena

To the Executive Committee, of the Committee of Vigilance in
and for the City and County of San Francisco & State of C^a

Gent From information received from a reliable source I
would present Yerba Buena Island ³ as being infested with a Gang
of Thieves and perhaps worse, it appears that the Cutter *Polk*
lay to the Leeward of the Island Yesterday, and while there dis-
tinctly saw several men leave the Beach for an instant and re-
turned again armed apparently with Rifles and it seemed to all
on board the *Polk* to prevent the Landing of any persons from
her, they also saw packing Boxes Bales &c &c in great quantity,
the party on board the *Polk* imagined that the Gang on shore
took them for the Vigilance Committee. One gentleman in-
formed me that he has no doubt, of the fact that the Island is
the receptacle of a large amount of stolen property, as well as
the habitation of several Felons, I therefore respectfully and
earnestly call the attention of the Executive Committee to the
subject, and propose the following motion "That the Officer
in command of the *Polk* on Sunday the 6th be respectfully re-
quested to come before our body and relate particulars touching
the matter as well as inquire of him as to the Gentlemen on the
Polk who witnessed the scene"

Very respectfully Gentlemen

Your Obdt Servt

[Signed] S Payran

July 7th 1851

[Addressed:]

To The Executive Committee of the Committee of Vig-
ilence per Sergeant at Arms Present

To be opened by anyone of the Executive Committee

[Endorsed:] Filed July 7 1851

³ The island of Yerba Buena, which lies to the east of San Francisco,
is, at the present time, often called Goat Island.

[July 7, 1851]

Parker's Letter. [Case of Adams]

To the Committee.

The bearer of this note will give information where the Burglar Adams can be found, provided his expences are paid

Respy

[Signed] W H Parker

July 7 1851

[Addressed:]

Vigilance Committee

[Endorsed:] Filed July 7/51

Marks Statement in relation to Adams the Burglar

Joseph Marks⁴— I was an officer of the Police of this City— Adams the Burglar is on the other side of the Bay—I think it would take about one & half days to take him—I want no pay for the same—provided the expenses of the boats are paid— There are about five scoundrels with him—I think he would make resistance—I have been in San Francisco five years & I know many of the scoundrels in and about this city—I formerly belonged to Col Stevenson's Regiment, Company G Capt Stevenson—1st Sergt Meare—

Showed Prisoner Stephens to Joseph Marks who swears that he knows him to be the man who passed under the name of Jim Briggs and who was concerned in the robbery of the Custom House at Monterey⁵

[Endorsed:] Taken and filed July 7/51

Adams the Burglar

In the matter of Adams the Burglar

Information having been received of the whereabouts of said Adams Capt Garwood is ordered to detail such guard as he

⁴ On March 16, 1851, a robbery was committed in the office of Colonel J. D. Stevenson, former commander of the First Regiment of New York Volunteers, and William Watkins (see note 5, p. 92), was convicted of the crime, largely on the evidence of Marks, who claimed that he was trying to bring the thieves to justice, although George Adams asserted (p. 410), that the act was one of revenge for the loss of a clerical position. Marks, in the statement above, attempted to confuse Stuart with the minor rascal Briggs (see note 16, p. 228), and to mislead the Committee as to the whereabouts of Adams.

⁵ See note 43, p. 244.

[July 7, 1851]

may direct, and accompany Mr Marks who gave the information, and arrest and bring said Adams into our custody to proceed tomorrow

July 7 1851 10 OClock A. M. from the Ex^e Committee

[Signed] S Payran Presdt

In the matter of the Farralones⁶—we report that Capt Wake-man has proceeded thereon

In the matter of Dalgreen Communication, [. . .]

*Oaks, Garwood & Bluxome. Report of Committee on
Bark Izeette*

The Committee appointed to examine the Bark "*Izeette*" beg to Report—

From the Harbor Master ascertained there was but one vessel in port called the "*Izeette*" which upon examination proved to be a store ship, lying close in near Market S^t wharf—your committee examined this vessel closely as well as the ship keeper and found no appearance of a female having been there—Enquired of a respectable ship master (American) whose vessel lays close to the "*Izeette*" and who has his wife and children on board who states that he had not seen a female since his vessel had been lying near the "*Izeette*" on board of *this vessel*, and further that his Brig had been near the "*Izeette*" for some eight months

Your committee further report of having visited the U. S. R. Cutter "*Polk*"—Capt McGowan and his officers know nothing of the matter in relation to "Yerba Buena"

San Francisco July 7th 1851

Respectfully submitted

[Signed] P— Petrovits

" Geo. Oakes

" George M Garwood

" Isaac Bluxome Jr

To Executive Committee of Vigilance

⁶ Voucher No. 4, p. 771, shows that \$63 was expended on a trip to the Farralones, a group of small, rocky islands about thirty-five miles outside the Golden Gate, but this is the only other allusion to the subject which occurs in the records of the Committee.

[July 7, 1851]

*R A Lockwood, F Filford [Tilford] & Edmund Randolph.**July 7, 1851*

San Francisco July 7, 1851

Gentlemen

We have received with astonishment a communication through your hands purporting to be an extract from the Minutes of the proceedings of a certain association styling itself "The Vigilance Committee," in which we are requested to withdraw the suit which we have instituted in behalf of "Peter Metcalf vs F Argenti, & F A Atkinson"—We forbear to remark upon the folly, the presumption the ignorance of your own powers and of our character, and the entire disregard of the Constitution & laws, and the rights of your fellow citizens which that communication betokens. You will for our answer say to those who sent you that we need no advice, and will submit to no dictation from the Vigilance Committee, collectively or individually. And that they may rest fully assured that we will prosecute the suit of "Metcalf vs Argenti & Atkinson," and all other suits of a similar nature in which we may be employed, with the utmost of our ability, and to the end of the law⁷.

We remain your Obt servts

R. A. Lockwood

F. Tilford

Edmund Randolph

To Messrs Sharron	} Committee
Curtis	
Bromley	
&	
Spence	

Petition of Victor de Gray

The Petition of Victor de Grey, to the Committee of Vigilance" of San Francisco, represents that the said Victor de Grey is by birth a Frenchman but that he has resided in California, in the mines and in San Francisco about two years— That his position at home, both by birth and education has always been respectable and honorable—

⁷ See note 4, p. 216.

[July 7, 1851]

That in California he has always followed his fortune as he best might, always in honesty and industry and has always sustained among his acquaintances a good character and reputation in all things—

That in the last fire but one, having then returned from the mines with about one thousand Dollars which he has embarked in business—he lost his all, and was thrown upon the world homeless and pennyless—

That then he found himself glad to render some services to the family of Mr and Mrs Robinson⁸ for the purpose of sustaining himself until such time as he could find work or in some way reestablish himself—

That until said fire he had known nothing of said family—

That at the last Fire he was active in rendering assistance to all in his vicinity who might need it and lost himself the last small remnant of property which he had—and is now utterly without . . .⁹ or resources—

That he had engaged work before the last fire which would have remunerated him for his industry—

That upon the night when Mr and Mrs Robinson were taken before this Committee, he also was taken with violence and rudeness and was compelled, half dressed to go through the streets with members of this Committee as if he had himself been a criminal or suspected of criminality—and was kept in the rooms of this Committee for some hours, but was afterwards discharged without being arraigned or without being called upon to testify—

That by said acts he has suffered much in reputation and prospects—

That the person with whom he had engaged to labor prior to the said fire, has since, induced as your petitioner is informed and believes, by the circumstances of his said arrest refused to employ him, and he is looked upon by all who speak his language as a "suspected person" and can no longer procure work to sustain him—

That he has been advised by his friends or a portion of them to commence a suit at law against the Committee for false im-

⁸ See note 1, p. 106.

⁹ Paper torn.

[July 7, 1851]

prisonment, and has been advised that he might recover large damages against this Committee on said account

But That your Petitioner is unwilling to place himself in a position to make trouble between the citizens of this country who entertain different views the one from the other, and prefers to trust entirely to the known generosity of this Committee—

He wishes to leave San Francisco for the mines—he thinks he sees in the face of every compatriot who meets him the charge of Incendryism—and as he walks through the streets he blushes to think that once he walked through them guarded like a criminal, and he dreads to think that his acquaintances here will write to his friends at home that he has been suspected as an Incendriary—

He therefore prays that in the first place a certificate may be given him that he was called upon simply as a Witness and that his character has sustained no injury or suspicion— And in the second place that it would please this Committee to grant him such assistance as will enable him to leave this City the scene of his first and he hopes his only disgrace and reach the mines where he may labor to recover his fortunes and his good name

Respectfully

[Signed] Victor de Grey

[Endorsed:] Mr De Lessart was appointed a committee of one to investigate the Case of Victor

In case of Hennessey. Statement of John Morris July 6-7

John Morris—Yesterday about 2 Oclk was at North Beach buying lumber. On passing Hennessey's house I saw Cabbages & Turnips I went to the door and asked him where he got them he stated he got them over the water. I asked him where, he s^d Angel Island.¹⁰ I asked if he brought anything else from there, he seemed confused, I looked about I saw a rudder that belonged to me I asked where he got it, he said at Angel Island,

¹⁰ Angel Island is the largest in San Francisco Bay, and lies northeast of the city, near the shore of Marin County. Vouchers No. 4, p. 769, and No. 87, p. 794, show the expenses incurred on trips to that point.

[July 7, 1851]

I saw the mast of my sloop, he said he brought that from same place also an oar—I told him they were mine & that he must go with me to the Police Office, but having lost so much before I thought better to bring him before the Committee. He then wanted to compromise with me but I would not agree to it—He then got a couple of neighbors to interfere. I would not admit of any temporizing & came here—I never saw him before. Afterwards I heard something derogatory to his character, A man with me told me the house was marked—this man's name was Barns a tinman. I know a man named Scott who came in ship with me a bad man, 5 10 in height, dark eyes pale face & thin—Hennessey confessed he took these things from Angel Island my place— My place was robbed about 6 weeks ago—of \$180 of mine & \$400 belonging to a man Robbins— 'Tis 2 or 3 weeks since I was on the Island—

[Signed] John Morris

*Evidence of Blythe & Sweeney in the matter of Morris
vs Hennessey*

July 7

Robt Blyth—I know Barns—he came from the Colonies—He kept the Cottage of Content—I consider him a scoundrel. He has harboured a d—nd set of thieves—His wife & family have left him on account of his dissipation. I know him to be a Gambler. keeps bad company, is a man that will encourage others to do wrong and himself a rogue, not that I know it, but believe so from the fact of his alledging others to be, I do not know him from Adam, but merely judge of the man from his conduct, he carries on the Tin business

[Signed] Robert Blythe¹¹

Patrick Sweeney—concurs in the above statement. Sweeney further states that he has gone into the Cottage of Content kept

¹¹ In Hennessey's statement (p. 48), he said that "Robert Blithe," the policeman, had boarded with him, and now Blythe attempted to throw discredit upon Barns, the tinman, who was quoted by Morris as a witness against Hennessey's character. Sweeney also boarded with Hennessey and it is to be suspected that all the men here mentioned were rogues together.

[July 7, 1851]

by Barnes, & sold him some Pickles and went to deliver them, and while waiting for the money—saw two or three men there boasting of robberies they had committed in San Francisco, do not know their names, nor do I know where to find them—one of them I believed died of Cholera

[Signed] P Sweeney

[Endorsed:] Filed July 7/51

TUESDAY, JULY 8, 1851

MINUTES

Minutes of General Meeting July 8 1851

Minutes of Special Meeting called together in consequence of a writ of Habeas Corpus granted by Judge Bennett of Supreme Court—in the Case of W^m Stephens alias Jim Stuart¹—

On motion Mr Jas C Ward was called to the chair

On motion of Mr Hart—

Resolved That Mess Payran— Jones— & Van Bocklyn have permission to retire from Committee until to-morrow at 1 P M—

¹ At the request of the city attorney, Frank M. Pixley, who had defended Stuart when he was on trial at Sacramento, Judge Bennett, on the morning of July 8, issued a writ, directing W. H. Jones, A. J. McDuffee, J. L. Van Bokkelen, and Stephen Payran to produce their prisoner in court. Pixley complained on the next morning that no return had been made, and the minutes show that three of the members named had been excused from attendance at the rooms in order to avoid service of the writ. The matter came up in court again on the afternoon of the 9th, when Jones, McDuffee and Van Bokkelen took oath that they had never had such control of Stuart as would have enabled them to obey the order, and Payran was "not found after diligent search." Another warrant was then issued, directing the sheriff to obtain possession of, and bring into court, the body of James Stuart, and in anticipation of this action on the part of the authorities, Stuart was removed and concealed elsewhere, while the sheriff made a search of headquarters, p. 11, MS *Statement of Isaac Bluxome, Jr.*, Bancroft Library). Col. Hays reported to the court on the 10th that he had visited the rooms of the Committee, and that he found the prisoner had been removed, in a carriage, which the sheriff followed far beyond the Mission, in a vain attempt to secure his man. (*S. F. Herald*, Law Intelligence, July 10, *Alta California*, July 9, 10, 11.) No further effort was made to rescue Stuart from the hands of the Committee.

[July 8, 1851]

On motion of Mr Woodworth—

Resolved—That each member of this Committee take a subscription list and obtain subscribers to the amt of 30\$

On motion

Resolved That Mr John S. Eagan act as Chief of Police in the place of Mr Van Bocklyne until 1 P M to-morrow

On motion adjourned

[Signed] Isaac Bluxome Jr

Secretary

Minutes of July 8/51

A meeting of the Executive Committee this 8th day of July
A. D. 1851 Present W Bromley Capt Garwood A. J.
Ellis J. F. Spence J. Ward Stephen Payran

Meeting called to order previous minutes read

The Correspondence received from Marysville read and ordered to be filed.

Francis L. Aud Esquire appeared in relation to the matter of the Prisoner Stephens alias Steuart, Mr Aud was of counsel for Thomas Berdue alias Steuart, and desires action on the ground that some discrepancy exists in the Evidence as to the identity of the Stuart who murdered Moore.

Mr Aud may be found at the Oriental

Resignation of R. S. Watson as a member of the Executive Committee read and accepted

Resignation of S Brannan as a member of the Executive Committee accepted²

Order from H. G. J. Gibson to deliver S R Church to the U. S. A. received and Prisoner delivered

W. Bromley is appointed President of the Executive Committee Pro tem

And now July 8th 1851 8. OClock P M. present Isaac Bluxome Jr Schenck Garwood Woodworth Turner Curtis Wadsworth Brindley Bromley Ward Spence Ellis Coleman

Report of Committee sent after Adams—receive further information from Marks & continue on duty.

² See note 8, p. 181.

[July 8, 1851]

Special Session 1½ past 10 o'clock 8th July 1851

Present Mr Turner Schenck Bluxome Mellus Col-
man Wadsworth Curtis Ward Bromley Woodworth
Spence Brinley Ellis

Mr S E Woodworth invited to preside.

On motion and carried, that Mr Spence, conduct the examination of Prisoner Stevens, and any question which the Com: may wish to ask Prisoner, shall be done on paper thro Mr Spence

On motion and carried— that inasmuch as Mr Austin has offered his legal service to this Com: that Mr M— be a Com: of one to return him thanks of body.³

Minutes of General Meeting July 8, 1851

July 8th 1851

S Woodworth in chair

Geo: R. Ward Secy P. T.

Reading of the minutes dispensed with by consent.

Motion by Mr Bond "that the heading of the Petition for the pardon of J Williams be amended by substituting the word "*Citizens*" for "*Members of the V C*" Carried

Mr Sharon's motion to explain the resolution in regard to Lockwood et als thro' the public prints Laid on table⁴

Mr. [. . .] motion to appoint a committee of 5 to draft a suitable explanation to remarks in the *Picayune* of this evening

Mr Jas Ward's announcement that the Com shd consist of all members intimate with the editors who shd explain the matter alluded to with a view that they may explain editorially. Carried

Assessment of \$5 pr member pr month of July Carried

³ E. G. Austin appeared as counsel for Atkinson when the suit of Metcalf vs. Argenti et als. was tried in August, 1851.

⁴ The letter from Lockwood, Tilford and Randolph, printed on p. 210, was published in one of the morning papers of July 8, and Sharon desired to have an official statement made in regard to the suit of Metcalf vs. Argenti. But the suggestion of James Ward was adopted and on July 9, the *S. F. Herald* devoted a long editorial to the matter, strongly commending the action taken by the Committee, and the *California Courier*, July 9, and the *Alta California*, July 10, expressed similar approval.

[July 8, 1931]

Special Session 1½ past 10 o'clock 8th July 1931

Present Mr Turner Schenck Blumens Meller Col-
man Wadsworth Curtis Ward Bromley Woodworth

Spencer Brinkley Ellis

Mr S H Woodworth invited to preside

On motion and carried, that Mr Spencer conduct the ex-

amination of Prisoner Stevens, and any question which the Com:

may wish to ask Prisoner, shall be done on paper thru Mr Spencer

On motion and carried — that inasmuch as Mr Austin has

offered his legal service to this Com: that Mr M — be a Com: of

one to return him thanks of body.

Minutes of General Meeting July 5, 1931

July 8th 1931

S Woodworth in chair

Geo: R Ward Secy P. T.

Reading of the minutes dispensed with by consent

Motion by Mr Hood "that the heading of the petition for

the pardon of J Williams be amended by substituting the word

"Citizen" for "Member of the Y C" Carried

Mr Spencer's motion to explain the resolution in regard to

Lockwood at the time the public prints laid on table

Mr [] motion to appoint a committee of 5 to draft a

suitable explanation to furnish to the Prisoner of this evening

Mr Jas Ward's announcement that the Com should consist of all

members intimate with the editors who shall explain the matter

allotted to with a view that they may explain editorially. Car-

ried

Assessment of \$5 per member per month of July Carried

Mr G. Austin suggested as counsel for Aldrich when the suit of

Match vs. Aldrich is set was tried in August 1931.

The letter from Lockwood, Thibault and Harwood, written on p. 208

was published in one of the morning papers of July 8 and 9 and then

to have an official statement made in regard to the suit of Match vs.

Aldrich. That the suggestion of James Ward was accepted and on July 8

the S. P. Board drafted a long editorial in the morning, through com-

mending the action taken by the Committee and the Editorial Board.

July 8, and the this editorial July 10, expressed similar approval.

[July 8, 1851]

Motion that payment of the same be required within 8 days

Carried

Motion that all members now present that have not paid their dues and fines *Carried*

Motion that Com of Appeal meet to-morrow night instead of Monday *Carried*

...⁵

Report of Ex Com in regard to Stewart *accepted*⁶

& resolution accompanying same *carried*

Motion that *no* member of the *Ex Com* leave the room
Carried

Motion to instruct the Ex C to obtain a disclaimer by the prisoner of the writ of Habeas Cupus. *Carried*

Adjourned

MISCELLANEOUS PAPERS

Resignation of R. S. Watson

To the Executive Committee of the Vigilance Committee

Gentlemen Finding it, entirely, out of my power, to devote the time necessary, to make me a useful member of your Committee, I beg leave respectfully to tender my resignation, assuring you at the same time, that I am with you, heart & soul, in the good work which you have undertaken to carry out.

Yours very respectfully

[Signed] R. S. Watson

San Francisco July, 7th 1851.

[Endorsed:] accepted

Filed July 8th 1851

[Petition for the Pardon of John Williams]

To his Excellency John McDougal, Governor of the State of California:—

Your petitioners, members of the "Committee of Vigilance" of the City of San Francisco, would respectfully represent to your Excellency that there is now in confinement in the County

⁵ Paper torn.

⁶ This report has not been preserved, but the undated resolution printed on p. 220 may be the one to which reference is here made.

[July 8, 1851]

prison of this County a prisoner by the name of John Williams who was tried and convicted in the month of September last on the charge of "assault with intent to kill." By the recommendation and at the request of the Sheriff of said County your petitioners have entered into an investigation of the facts connected with the charge brought against said prisoner, and have come to the unanimous conclusion that the assault therein complained of, was made strictly in self-defense, and that the prisoner is a fit subject for your Excellency's clemency.—

Your petitioners would therefore humbly beg that your Excellency may see fit to extend a free pardon to the said John Williams, and that he may forthwith be discharged from custody.⁷

And your petitioners will ever pray &c

C. Marsh. intimidation by Police

"Windsor Tavern" Sansome Street 8th July 1851

To The Vigilance Committee

Gentlemen:—Having been called on last night and threatened by two of the City Police on account of my information concerning Goff, I wish to appear before your Committee again and make a further Statement, and to claim your protection from the ruffianly intimidation to which I was last night subjected.

I am Gent^l.

Your ob^t Serv^t

[Signed] Chas Marsh

[Addressed:]

To The Vigilance Committee

San Francisco

[Endorsed:] 1851 San Francisco 8. July

Thos Norris. San Francisco July 8/51

San Francisco July 8th/51

To the Executive Comte

Gentlemen Having cause to leave this City since the 4th and knowing I was detailed for duty and Absence subjecting to

⁷ John Williams was pardoned by Governor McDougal in July, 1851. California—Secretary of State, *Day and Letter Book for 1850*, p. 80.

[July 8, 1881]

prison of this County a prisoner by the name of John Williams who was tried and convicted in the month of September last on the charge of "assault with intent to kill." By the recommendation and at the request of the Sheriff of said County your petitioners have entered into an investigation of the facts connected with the charge brought against said prisoner, and have come to the unanimous conclusion that the assault therein complained of was made solely in self-defense, and that the prisoner is a fit subject for your Excellency's clemency.—

Your petitioners would therefore humbly beg that your Excellency may see fit to extend a free pardon to the said John Williams, and that he may forthwith be discharged from custody.

And your petitioners will ever pray &c

Wm. W. Marsh, Information by Police
"Whitaker Tavern" San Francisco Street 2nd July 1881

To The Vigilance Committee
Gentlemen:—Having been called on last night and threatened by two of the City Police on account of my information concerning Goddard, I wish to appear before your Committee again and make a further statement, and to claim your protection from the malicious imputation to which I was last night subjected.

I am Gent.

Yours ob. Serv.
[Signed] Wm. W. Marsh

[Addressed:]
To The Vigilance Committee
San Francisco
[Initialed:] 1881 San Francisco 8 July

San Francisco July 8/81
San Francisco July 8/81

To the Executive Com.
Gentlemen:—Having come to leave the City since the 4th and knowing I was detailed for duty and absent subjecting to the public the name of John Williams was published by Governor Stanford in July, 1881. California—Secretary of State, San Francisco, July 8, 1881.

[July 8, 1851]

a fine this morning I called to pay the same and found an Order refusing me admittance I asked an explanation and it was given—briefly that my conduct in the Case of Galager^s was not pleasing to the views of some, now as to this gentlemen—I have explained in a full meeting and not a word of condemnation was given, there let it rest. And another charge was that I had said unto those who did not belong to the V. Com^m something of their proceeding or it was thought I had This gentlemen I tell you and call God to witness that I have never divulged any thing passed in your Rooms. The ground it seems of suspicion was one evening in the Union Mr Cha^s Duane came to me and placed his arm around my neck and said to me “I understand the Vigilance Com^m are investigating my case” I told him he knew more than I did and I wished to see him behave like a gentleman and avoid all Quarrels, I spoke as a friend should and I believe acted in good faith and hope ever to continue a Defender of Faith, Hope, & Charity, and never shrink from Justice, even if *self & Character should* be assailed

Gentlemen Please favor me with an answer to these few lines either of Approbation or of Condemnation as early as possible and Gentlemen

I remain yours in Friendship, Love & Truth

[Signed] 236. Tho^s Norris

P. S. Direct your note to the care of Mr Nathaniel Gray
City Sexton Sacramento St

Th. N.

[Addressed:]

To the Executive Committee of Vigilance
San Francisco

^s This is the only allusion in the records of the Committee to a case that came before them on the night of the fire, June 22, when Samuel Gallagher shot and killed Lewis Pollock in a fit of jealous rage over one of the women living in a house of ill-fame. The murderer was taken to the Committee rooms, detained there over night, and delivered to the authorities in the morning, as the Committee refused to take cognizance of crimes arising more from private passion than from deliberate attempts against the public safety.

The following card appeared in the papers of June 25: “It having been currently reported that Gallagher, who was arrested for shooting Pollock, was a member of the Committee of Vigilance, the Committee take this opportunity to deny that report, he never having been, in any

[July 8, 1851]

[Resolution]

Resolved That no member of this Committee be allowed to leave this room without the *Special* permission of the Chair, until the examination so far as is consistent with the action of the Executive Committee, report—and is concluded—and the parties known in town be arrested—

No. 114 [J. G. McKaraker]

John H Jewett Esq. Pres^t Com V of Marysville. July 6th 1851

Office of the Vigilance Committee

Marysville July 6. 1851

To the Committee of Vigilance San Francisco

Gent We are in receipt of your favors of 2^d & 4th inst & in answer to your request have to state that James Stuart alias Tho^s Burdue was on Friday last found guilty of the murder of Cha^s Moore near Foster's Bar last Fall & will be sentenced to morrow by the District Judge.

Presuming Gent. your only object in securing the prisoner is his certain punishment we thus lay the facts of the case before you & further assure you that the vigilance of the civil authority is untiring & we are constantly on the alert to notice any laxity that may occur in their guard & you may rest assured that the sentence pronounced against him will be most certainly executed

In regard to your communication of the 4th inst we would say to you that although we have great confidence in your researches we still view with a jealous eye every movement calculated to create sympathy in behalf of the prisoner recently convicted—

The proof elicited upon the trial is so clear as to leave scarcely a shadow of doubt but that the prisoner is the identical James Stuart of Foster's Bar, yet if not, still, the person who committed the murder.

It is therefore the wish of our Committee that the prisoner should meet here the punishment which is due for his crimes.

In regard to the person in your possession we have no serious charges against him which would require the action of our Com-

way, connected with said Committee." The name of Norris, who signed this letter, is omitted from the *Book of Names* of the sergeant-at-arms. *Papers of the San Francisco Committee of Vigilance of 1851, I.*

SAN FRANCISCO COMMITTEE OF VIGILANCE OF 1851 221

[July 8, 1851]

mittee at all events until some further developments have been made

Be assured Gent that your proffers of assistance and prompt co-operation in the cause of Justice & humanity we shall at all times & under all circumstances be happy to reciprocate

Very Respectfully

Gentlemen

[Signed] Jn^o H Jewett Prs^t

[Signed] W Willson Smith
Secy Pro Tem

John H Jewett Esq. Pres^t Com V of Marysville. July 6th 1851
office of Vigilance Committee
Marysvill July 6. 1851

To C. H. Brinley Esq

Secy Exec. Comm San Francisco

Sir Your favor of 4th inst rec^d & contents noted

By the evidence produced in the trial of James Stuart last week the person in our charge stands convicted of the murder of Cha^s Moore. Agreeably to your request we will immediately notify the person designated of your wishes.

Mr W^m Hanley, merchant, of Foster's Bar witness for the prosecution is now in your city on business & can be found at the banking house of Messrs Page Bacon & Co or of Burgoyne & Co. The acquaintance of Mr Hanley with J. Stuart of Foster's Bar will make him a very important witness to you & considering him a man of stern integrity & great discernment we would advise you to give *his* testimony great weight.

Will you please give us a description of the persons who were the accomplices of J. Stuart in the attack on Mr Jansen & who attempted to prove an alibi in that case, as we believe them to be accessory to the murder to C. Moore & have reason to think they are in our midst.

I remain Sir your

obedient Servt

[Signed] Jn^o H. Jewett Pres^t

[Signed] W Willson Smith
Secty Pro Tem

[July 8, 1851]

*Copy of Letter Written by Berdue alias Stuart to John Goff*Marysville Jail July 4th 1851

Dear Sir

I have had a trial which lasted five or six days and the jury was 24 hours in deciding my fate and had they not of had a prejudice against the country I came from it might have turned out different but as it was they found me guilty and my [sentence] is death. The law allows me thirty days before the execution is put into effect. I forgot to say though I was found guilty, the jury remarked that they had doubts upon their mind but the judge said that this doubt would assist me very little I had more evidence in favor than against in fact I had the judge from Sacramento, who tried this said Stuart several times also the police man who took Stuart into custody they both swore positively that I was not Stuart and besides these men I had from 15 to 20 more who knew Stuart well and they also swore positively that I was not Stuart and moreover all of these persons were strangers to me the evidence here went to show and prove that Stuart was 2½ inches taller than me the policeman who first took me in charge for Stuart appeared against me had I of had Mr^s Strytum the landlord of the house I kept and Mr^s Morris and yourself it might of turned the case in my favor as this murder was perpetrated on the 7th of Occt. and you are well aware that I was in San Francisco a long time before and a long time after I have since been informed that no matter what evidence, I have the prejudice is so great against the people that comes from Sydney that had I off had these witnesses I have named it would of been worse Mr^s Elliot was here to prove that I came in the same ship with her from Sydney and it so happened that there was a witness also here to prove that this same Stuart came in steam vessel from Panama with him in the same month as I came from Sydney he also swore to Stuarts height as being much taller there was several parties from Forsters bar who arrested Stuart for a robbery he did there, they also swore I was not Stuart but all of no use, and one of these persons was the judge who tried Stuart on Fosters bar twice and worked in the same company. Fletcher & Bronson I got supoenas for but they could not be

[July 8, 1851]

found Henry Davis called upon me and promised to stop to my trial but on account of its being put off for a few days he left and I have not seen him since. understand me I dont mean to say that I had no evidence against me because I had a many that swore I was Stuart but most or all of these persons only knew Stuart slightly where those who swore I was not him all said they knew him well. I have no more to say at present touching the case. I must now ask you as a very great favor to come up and see me as soon as possible as I cannot say how soon I may be launched into Eternity innocent. when you come up please bring any letters you may have for me. My dear Sir when I ask you this favor I ask you not to delay as it will be the last time you will be able to see me and for Gods Sake and the respect you have for me dont fail as I have a deal to say respecting my poor wife & friends I have left behind I can assure you its very hard to be placed in this position but at the same time I keep up my spirits as well as I can I now say again in the name of God, do not neglect me but if possible come up as soon as you receive this

Give my respects to all my friends in San Francisco and receive the same yourself from

Yours truly but very unfortunate

Thos Berdue

Copy

P.S. I have not forgot the day I entered your house after being at the mines for Five months working hard and dirty as miners are and your boy John which is only 3 or 4 years should recognise me

[Endorsed:] Filed July 8th 1851

Attest S Payran Presd^t

*William Stephens alias Long Jim, English Jim, alias Carlile,
alias Campbell, alias Mason alias Stuart*

From information rec'd by the Executive Committee they are satisfied that the prisoner Stuart will implicate and convict at least ten [?] persons and make a full confession of all the details and of all knowledge of the various scoundrels now in this coun-

[July 8, 1851]

try⁹ upon this condition that he be handed over to the authorities of the County wherein he is charged with committing the crime of murder & so forth and that he will remain in our custody untill he does, this and if he fails to convict at least ten [?] persons he will remain under our control as he now is

[Signed] William Stephens

[Endorsed:] July 9th Filed 1851Attest S Payran Presd^t*In the Matter of Stephens, alias Stuart*

The Executive Committee having maturely considered the case, and in the absence of the Witnesses from Marysville who are hourly expected have thought it expedient for the ends of justice to defer a report until the Testimony is completed, from the information obtained it seems necessary to continue our labors to thereby detect others who are implicated and equally heinous

The Committee would further suggest the propriety of handing this Prisoner over to the Authorities¹⁰ of Yuba¹¹ for trial and execution and thereby save the life of one now under sen-

⁹ The fact that Stuart (alias Stephens) signed this document makes it appear as a sort of contract, pledging the Committee to hand him over to the authorities if he fulfilled the terms stipulated, and in spite of the fact that it was filed on the 9th it is placed here as a necessary introduction to the subsequent confession. The text is so illegible that it is impossible to be certain whether "two" or "ten" incriminations were required, but the higher number is the more probable, and as he implicated over twenty confederates, that part of the contract was fully met. He remained silent regarding his most heinous crime, the murder of Moore, which the Committee felt was conclusively proved against him, and perhaps that accounted for the vote on July 11, that the prisoner had failed to perform his contract and was liable to the penalty of death (see p. 263).

¹⁰ There is no record in the minutes to indicate that surrender of the prisoner was ever discussed, but this paper, in the handwriting of Stephen Payran, advocated such a course, and although it may never have been submitted to the Committee, it has particular interest in this connection. It was, evidently, prepared before F. L. Aud, witness from Marysville, gave his evidence on the 8th, and his statement, unfortunately missing from the files, may have influenced Payran to withhold his recommendation.

¹¹ Moore was killed at Foster's Bar in Yuba County, and he was sometimes spoken of as the sheriff of Yuba, but the editor has been unable to find that he served in that capacity, and the error, no doubt, arose from confusing his murder with another of which Stuart was falsely suspected, that of Echols, sheriff of Auburn. (See note 22, p. 231).

[July 8, 1881]

try upon this condition that he be handed over to the authorities of the County wherein he is charged with committing the crime of murder & so forth and that he will remain in our custody until he does, this and if he fails to comply at least ten [?] persons he will remain under our control as he now is

[Signed] William Stephens

[Endorsed:] July 9th Filed 1881

Attest: S. Payson, Clerk

In the Matter of Stephens, alias Stuart

The Executive Committee having maturely considered the case, and in the absence of the Witnesses from Marysville who are hourly expected have thought it expedient for the ends of justice to defer a report until the Testimony is completed.

from the information obtained it seems necessary to continue our labors to thereby detect others who are implicated and equally delinquent.

The Committee would further suggest the propriety of handing this prisoner over to the Authorities of Yuba for trial and execution and thereby save the life of one now under sus-

"The fact that Stuart (alias Stephens) signed this document makes it appear as a sort of contract, binding the Committee to hand him over to the authorities if he failed the same stipulated, and in spite of the fact that it was filed on the 11th it is placed here as a necessary introduction to the subsequent conclusion. The fact is so libellous that it is impossible to be certain whether "yes" or "no" statements were required, but the right number is the more probable and as so signified over twenty representatives that part of the contract was left out. He remained silent regarding his most heinous crime, the murder of Moore, while the Committee felt was considerably proved against him, and perhaps that accounted for the vote on July 11, that the prisoner had failed to perform his contract and was liable to the penalty of death (see p. 322).

There is no record in the minutes in relation to the conviction of the prisoner was ever discussed, but this paper, in the handwriting of Stephens, signed, substantiated with a witness and although it may never have been submitted to the Committee it has particular interest in the connection. It was evidently prepared before H. C. Ash, witness from Marysville, gave his evidence on the 10th and his statement undoubtedly bearing from the fact may have influenced the vote to withhold the recommendation.

Moore was killed at Yuba's bar in Yuba County, and in his name there spoken of as the owner of Yuba, but the latter fact seems to have had but no effect in that connection and the case, no doubt, goes from containing his murder with evidence of which Moore was likely suspected, that of Stephens, alias of Stephens. (See page 32, p. 321).

[July 8, 1851]

tence of Death, and whom we are inclined to think innocent of the crime charged against him

Although our aim is the punishment of crime, and the maintenance of Virtue, we nevertheless deem it proper and just to exercise our functions agreeably to the Laws formed by us for our good government and sustain them to the utmost of our abilities

We do not desire to screen anyone from just punishment, but would that the punishment meted out by the party or Community injured [...]

Confession of James Stuart July 8. 1851

Vigilance Committee Room July 8th 1851 10½ P M

Confession of James Stuart—alias English Jim—alias James Campbell alias William Stephens alias James Carlisle¹²—

My true name is James Stu[a]rt, I was born in Brighton, Sussex Co Eng—I left Eng about 16 years of age for New South Wales—I was transported for life—on a charge of forgery—I served nearly 6 years of that sentence and through the intercession of friends I received my emancipation—I went from there to South Australia Port Adelaide—I lived in Adelaide 5 years or more & then went to Callee—I was on the Coast of South America 2 or 3 years—at last I got to Payta in the Bark *J W Coffin* and from there I went to Panama in a La[u]nch of 5 or 6 tons—I then ship'd as a hand on board Steamer *Tennessee* to San Francisco —On my arrival in San Francisco I went directly

¹² This confession not only served as Stuart's death-warrant, but it gave the Committee a clue to the group of Sydney convicts of whom he was the leader. Stuart named twenty-six accomplices. Eleven of these received little or no further attention from the Committee (Pett, Griffith, Jerry Brown, Jim Brown, George Smith, John Jones, Nelson, McCormac, Kitchen and the policemen McIntyre and McCarty.) Seven (Edwards, Morgan, Big Brummy, Kay, Briggs, Hughes, and Osman), were pursued in vain, but all except Brummy evidently left the state in fear of the consequences of this disclosure. One woman and seven men were apprehended (Mrs. Hogan, Dab, Jimmy from Town, Whittaker, Adams, McKenzie, Michael Hogan, and Quick). Of these, Whittaker and McKenzie were hung, Quick was banished, and Adams and Jimmy from Town were turned over to the authorities. Other criminals were traced through the statements of these prisoners, and the Stuart gang was thus effectually broken up. The relative importance of those mentioned may be judged from the footnotes which follow.

[July 8, 1851]

to the mines—I joined the Rock Mining Co the day I arrived there—this was at Fosters Bar I worked in the Rock Mining Co one month—I hired one John Sullivan to work for me one month¹³ I then went down the river about 4 miles—and worked by my-self at mining—I worked about 2 weeks—I then went up and got John Sullivan to come down and work for me—he finished his month out here—and then I got him to work two days over his time—then we went up to Fosters Bar together—I then bought a claim and paid 300\$ for it—I bought a life boat for 400\$—I used it as a Ferry boat—I afterward lent this boat to a company and received half they made with her—I then went to Slate range about 8 miles higher up with Sullivan we both bought a claim for 50\$ each—we worked that claim half a day—it did not pay me well enough—and I left Sullivan and went to Forsters Bar—I worked at a Race and got the River turned—I lent the Missouri Company 300\$ the day the River was turned I found the claim would not pay and left it—I then went down the River again and worked at the old place some three or four weeks—I then had a row with Col Prentiss—through that I left and went to Forsters Bar—I then with one other made a garden—I built myself a house—I did not work any more at the mines I had about 6\$ per day for my boat—I had a claim I paid 300\$ for—I allowed others to work it for me and received about 10 or 12 dollars pr day for it—I then went into partnership with a man named Bernard Feller in a store—I did nothing for one week or more until I got tired of doing nothing—I then commenced building a large house for boarders—I never finished the house—The Company I lent the 300\$ to left and did not pay me—then a man named Dan Casey—lame—& has a brother—sold out—I bought all they had in their house—In searching this house I found a trunk—the trunk was open but full of clothes—I considered I had a right to them—as I bought all there was in the house—and took them—I wore these clothes while I was there—One night afterwards I went up to Mr Dodges house and played at Monte—I lost about 200\$ that night—and I thought I was cheated out of it and I determined I would be even with

¹³ John Sullivan, V. C. No. 269 (see note 2, p. 30).

[July 8, 1851]

to the mines—I joined the Rock Mining Co the day I arrived there—this was at Foster's Bar. I worked in the Rock Mining Co one month—I hired one John Sullivan to work for me one month. I then went down the river about 4 miles—and worked by myself at mining—I worked about 2 weeks—I then went up and got John Sullivan to come down and work for me—he finished his month out here—and then I got him to work two days over his time—then we went up to Foster's Bar together—I then bought a claim and paid 300\$ for it—I bought a life boat for 400\$—I used it as a ferry boat—I afterwards lent this boat to a company and received half they made with her—I then went to State river about 8 miles higher up with Sullivan—we both bought a claim for 50\$ each—we worked that claim half a day—it did not pay me well enough—and I left Sullivan and went to Foster's Bar—I worked at a place and got the river turned—I lent the Missouri Company 300\$ the day the river was turned I found the claim would not pay and left it—I then went down the river again and worked at the old place some three or four weeks—I then had a row with Col. Francis—through that I left and went to Foster's Bar—I then with one other made a garden—I built myself a house—I did not work any more at the mines—I had about 8\$ per day for my boat—I had a claim I paid 300\$ for—I allowed others to work it for me and received about 10 or 12 dollars per day for it—I then went into partnership with a man named Bernard Feller in a store—I did nothing for one week or more until I got tired of doing nothing—I then commenced building a large house for boarders—I never finished the house—The Company I lent the 300\$ to left and did not pay me—then a man named Dan Casey—James—has a brother—sold out—I bought all they had in their house—in watching this house I found a trunk—the trunk was open but full of clothes—I considered I had a right to them—as I bought all their was in the house—and took them—I wore these clothes while I was there—One night afterwards I went up to Mr. Jackson's house and played at Monte—I lost about 200\$ that night—and I thought I was cheated out of it and I determined I would be even with

[July 8, 1851]

him for it—so I stopped that night in a tent and saw him put his money in a large chest—I waited until all were asleep—then went in and took away the Chest—On opening it I found I had about 4300\$—there were two specimens in it—one weighed 98 oz worth 1568\$. the other piece was worth 723\$. the balance was in dust and about 600\$. in silver—I took all of this and secreted most of it in my garden—I then went to work as usual and worked about 10 days and was then apprehended for stealing this trunk of Clothes formerly spoken of—I was admitted to bail for the sum of 500\$.—I deposited the money myself—3 days afterwards I was taken up on charge of stealing of Dodge & Co 4300\$ for this I was committed at Marysville—the mob this night wanted to hang me—the Judge swore in about 60 men to protect me—next morning Mr Dodge came to me and said he would let me go if I would give him the money—I told him I would give him the money and gave it to him—I was afterwards told it was all there except 150\$. I told him if it was not all there I must have lost part of it—I remained with the Sheriff till after dinner—we then called an auction and sold off the things except the boat which I gave to a friend of mine—the things brought about 1750.\$ The Sheriff Edward Burr kept the money—at night he went out nominally to collect the money—the Cook came to me & told me if he were in my place he would go—I could not well go without my money—but still he advised me to go—I did think & still do think that Sheriff E Burr told the Cook to give that advice—I have never received the money from him—I went away—I went about 3 miles that night & stole a mare next night I arrived at Sacramento—I sold the Mare next day—I do not know to whom it belonged—I remained in Sacramento about 2 weeks—I got acquainted with three Americans & one Sydney man—who lived by stealing horses & I sold them for them—The names of the men were Dab¹⁴— James Peet & John Griffith

¹⁴ This was a man named Elleard, alias Dab. The *S. F. Herald*, July 18, said that Brannan arrested him on the Sacramento steamer the previous day, but a report of Van Bokkelen, July 18, stated that he had been handed over to the Committee by Charles Miller and two gentlemen from Marysville. On the night of the 18th, Brannan effected his release from headquarters, by pushing him forcibly past the guard at the door (p. 294), an act which created great indignation, and for which no explanation can be found in the records of the Committee.

[July 8, 1851]

the last man was afterwards drowned—The Cholera Morbus broke out in Sacramento¹⁵—A Boy—name unknown—told us that there was a Brig with considerable money on board—about 20 000\$ we went on board and found about 1200\$—John Edwards¹⁶—Jerry Brown—John Griffiths & self were concerned—We then came to San Francisco—John Edwards told us there was a vessel here with considerable money on board—Jim Burns Alias Jimmey from town¹⁷ came down with us—Jimmey robbed a Spaniard of about 30 oz when we were coming down from Sacramento City—we divided the money between us—The same night by information of Edwards we went on Board the *James Caskie* and robbed her—we had hard fighting—the Capt became desperate—we left him nearly dead—in the fight the Capts wife came out with a sword—I took it from her—I acted as Capt of our boys—we were all masked I left my men in charge of the Capt while I searched the vessel—Capts wife gave me what money there was on board—I asked her if there were any arms on board—she gave me one of Adams large 6 shooters—I gave the money and Pistol to one of the men—I do not recollect which—Capts wife begged of me not to take the Capts life—

¹⁵ There was a short epidemic of cholera in California in the autumn of 1850. Peter H. Burnett estimated that the death rate was five per cent of the population in San Francisco, ten per cent in San Jose, and about fifteen per cent in Sacramento (*Recollections*, 1880, p. 376). Oliver B. Crary said (p. 2, *MS Statement*, Bancroft Library) that the highest rate, in Sacramento, was sixty-three deaths, in twenty-four hours, out of a population of five thousand.

¹⁶ John Edwards (see also p. 73), John Morris Morgan, alias Old Jack, Jim Briggs, and Richard Osman, all of whom were named by Stuart, succeeded in evading arrest by the Committee, Edwards and Osman leaving town the day after this confession was published (p. 279). A futile attempt was made to capture them at Mazatlan in consequence of a rumor that they had sailed from San Diego on a Panama steamer (p. 500), and another, when it was supposed that they had returned to the vicinity of San Francisco (p. 679). The *S. F. Herald*, Oct. 17, stated that they had left the country, on a vessel bound for Australia, and had carried rich plunder away with them.

¹⁷ James Burns, alias Jimmy or Jemmy from Town, was a prominent member of Stuart's gang. He was arrested by the Committee on July 16 at Marysville, and in his confession (p. 317), he admitted his connection with several criminal affairs, but the Committee refrained from extreme measures in his case, and delivered him to the authorities, from whom he had recently escaped, to stand trial on an old charge of stealing a trunk of clothes from a Mr. Breed, on May 22. He was convicted and sentenced to ten years' imprisonment. *S. F. Herald*, July 18, and July 24 to August 1.

[July 8, 1851]

The last man was afterwards drowned—The Chinese Nicholas broke out in Sacramento—A Boy—name unknown—told us that there was a fight with considerable money on board—about 20 0000—We went on board and found about 12000—John Edwards—Jerry Brown—John Griffiths & only were concerned—We then came to San Francisco—John Edwards told us there was a vessel here with considerable money on board—Jim Brown alias Jimmy from town—came down with us—Jimmy robbed a Spanish of about 20 as when we were coming down from Sacramento City—we divided the money between us—The same night by information of Edwards we went on board the James Clark and robbed her—we had hard fighting—the Capt became desperate—we left him nearly dead—in the fight the Capt with came out with a sword—I took it from her—I asked as Capt of our boys—we were all masked—I left my men in charge of the Capt while I searched the vessel—Capt wife gave me what money there was on board—I asked her if there were any arms on board—she gave me one of Adams large 5 shoters—I gave the money and handed to one of the men—I do not remember which—Capt wife begged of me not to take the Capt's life—

There was a short epidemic of cholera in California in the autumn of 1850. Father H. Hartwell estimated that the death rate was one per cent of the population in San Francisco, ten per cent in San Jose, and about fifteen per cent in Sacramento (Hartwell, 1850, p. 310). Oliver B. Curry and Dr. E. M. Hartwell (Hartwell, 1850) that the epidemic was still more deadly in twenty-four hours, out of a population of ten thousand.

John Edwards was born in 1817, John Morris Morgan, John Oldham, Jim Briggs, and Richard Graham all of whom were killed in 1851, succeeded in finding a way to the Thompson, Edwards and Graham were the first to find the gold in the mountains in 1849. A party of men was sent to California from Mexico in 1849 to search for gold, and they had found it in the mountains in 1849. The party was sent to California from Mexico in 1849 to search for gold, and they had found it in the mountains in 1849. The party was sent to California from Mexico in 1849 to search for gold, and they had found it in the mountains in 1849.

At James Hays's office in January 1851, there was a prominent member of the party. He was arrested by the authorities on July 18 at Sacramento, and in the confinement of 1851, he indicated his intention with several other men, and the Committee retained them. He was in his cell and refused to be in the confinement, and when he had recently escaped to San Jose, he was arrested and sentenced to be hanged from a gallows on July 21. He was executed and sentenced to be hanged from a gallows on July 21, and July 24 to August 1.

[July 8, 1851]

I told her I did not want to do that if he would only be quiet—I then looked into the Cabin and saw a splendid Gold Chronometer Watch—she begged of me not to take it as it was a gift from her Mother—I told her those being the circumstances I would not take it—the rest of my Company kicked up a row with me for not taking it—I told them they had made me master and I would act as such—I tied the Capt—I then told her not to speak a word for two hours as I should not leave the vessel before that time—I also tied a Boy on board—then went on shore—we looked at the money and found only 170\$ instead of 15000.\$ as we supposed—I should have stated before that Capts wife told me that all the money had been sent in the Steamer before we came on board The following were engaged with me John Edwards—Jim Brown—George Smith I remained in San Francisco 5 or 6 days—I tried to rob the Store of Grayson Guild & Co—I stowed away there all one night—but effected nothing—the safe was too heavy—

I then went to Sacramento by myself—left all the others here—I lived at a house kept by Mr Moore in L Street—I played cards most of the time—I sold a few mules and Horses for the Horse thieves under the name of Campbell—Moore who kept the house died and I bought out his wife for 150\$—all the things stole in Sacramento City were brought to this house—and I took care of them—The name of my boarders were John Jones—John Griffith—W^m Nelson a boy of about 17 or 18 years of age—Old Jack¹⁸—these were all thieves—after a few days John Griffiths was taken for picking a mans pocket of some 800\$—On monday morning is committed to take his trial before Recorder Washington—he was allowed bail in 1500\$—Straw bail was refused so I hired a team & loaded it with stolen goods and started for Mormon Island & Salmon Falls—I sold all the goods at Mormon Island & Salmon Falls and went to Sacramento City—I went to the Sheriff & got a pass to go and see Griffiths—when I went on board the Brig¹⁹ they told me he was drowned the night before

¹⁸ See note 16, p. 228.

¹⁹ In the spring of 1850 the bark *La Grange* was bought by the Sacramento officials to serve as a jail, pending the erection of a court house. The latter was completed December 24, 1851. *History of Sacramento County*, Thompson and West, publishers, Oakland, 1880, p. 88.

[July 8, 1851]

trying to escape with his irons—While I was gone to the mines some one robbed my house—I did not think it worth while to open another—so I went to live by the side of the burying ground—A few days after I was arrested for house breaking I employed Mr Frank Pixley²⁰—he got me out of the scrape by the false swearing of Old Jack—He agreed to get me out of the scrape for 20\$ but afterwards told me I must give him 50\$ more—which I did—I told Mr Pixley I was guilty of house breaking—About one week or 10 days afterward I was arrested for breaking into the house of Mr Smith who kept a lumber yard—I was nearly shot there—one shot went through my hat—I was taken and committed on board the Brig for trial—I forgot to state that previous to this I robbed a house corner of Front & K St—a clothing store—I got about 800\$ worth of property—no money—Mat Hopwood—a Sydney man—alias Big Brummey²¹—was with

²⁰ The following statement from Pixley appeared in the San Francisco papers July 15:

“Mr. Editor:—The statement of James Stuart concerning myself being true in part and false in part, I desire to state for the satisfaction of my friends, the facts. The first time I ever saw James Stuart, I defended him for the larceny of a trunk from a dwelling house in Sacramento. On that trial he proved that he purchased the trunk, and was discharged. This he says was false testimony, and as his confession is written, it seems to convey the idea that I knew it to have been so, and he says that he told me of his guilt. I say that I did not know his witness swore false, neither did he tell me of his guilt, nor did I at that time believe him guilty of the offence. He was again arrested for a burglary, confessed to me that he was guilty, and I swore no witness for his defence, but permitted him to be bound over to take his trial at the District Court. While in the prison brig and awaiting his trial, several parties came from Marysville to arrest him for murder. They were not officers, nor did they have a legal warrant. I opposed his removal, as I had good reason then to believe he would have been delivered over to a mob to be executed; and I then opposed, as I always have and always will, the assumption of such powers by any other than the legally constituted authorities. In expectation of going to Marysville to defend him, I charged him a fee of five hundred dollars, which I weighed from a bag and sent the balance to him on board the prison brig. If anything in his statement, or from any other source, convey the idea, by implication or otherwise, that in this or in any other case, I have ever acted otherwise than honorably, and within the spirit of my professional duties, then such statement is false and untrue.”

Pixley was about twenty-five years old at this time and had been elected city attorney of San Francisco in April, 1851. In 1861 he was chosen attorney-general of California, and he was, for some years, an important Republican leader in state and national politics. He was equally well known as the founder of the San Francisco *Argonaut*.

²¹ A prisoner named Ainsworth is called “Big Brumny” in the en-

[July 8, 1931]

trying to escape with his iron—While I was gone to the mine some one robbed my house—I did not think it worth while to open another—and I went by the side of the burning ground—A few days after I was arrested for house breaking I employed Mr. Frank Pizley—he got me out of the scrape by the false swearing of Old Jack—He agreed to get me out of the scrape for 200 but afterwards told me I must give him 500 more—which I did—I told Mr. Pizley I was guilty of house breaking—About one week or 10 days afterwards I was arrested for breaking into the house of Mr. Smith who kept a hundred yard—I was nearly shot there—one shot went through my hat—I was taken and committed up bond the 15th for trial—I forgot to state that previous to this I robbed a house corner of Front & N. St.—a clothing store—I got about 8000 worth of property—no money—

Mat Hopwood—a Sydney man—alias Big Hammer—was with

The following statement from Pizley appeared in the San Francisco papers July 15:
"Mr. Editor—The statement of James Smith concerning myself being true in part and false in part, I desire to state for the satisfaction of my friends the facts. The first time I ever saw James was in the fall of 1929, at the time of a trunk from a jewelry store in San Francisco. On that date he proved that he purchased the trunk and was discharged. This he says was false testimony, and as his conclusion is written, it seems to cover the fact that I knew it to have been so, and he says that he told me of his guilt. I say that I did not know his witness swore false, neither did he tell me of his guilt nor did I at that time believe him guilty of the offense. He was again arrested for a burglary, confessed to me that he was guilty, and I was a witness for his release, but permitted him to be bound over to take his trial at the District Court. While in the prison here and waiting his trial several parties came from Marysville to witness his trial. They were not allowed, and all they have a legal warrant. I signed the warrant, as I had good reason then to believe he would have been delivered over to a man to be executed, and I then appeared, as I always have and always will, the reputation of each person by my offer than the legally constituted authorities. In expectation of going to Marysville to defend him I changed over a few of his hundred dollars which I carried from a bag and sent the balance to him on bond the prison here. If anything in his statement or from any other source, covers the fact, or testimony or otherwise, that in this or in any other case, I have not acted otherwise than honestly, and within the spirit of my professional duty, then this statement is false and untrue."

Pizley was about twenty-five years old at the time and had been elected city attorney of San Francisco in April, 1921. In 1922 he was chosen attorney general of California, and he held the same post an important position under the state and national politics. He was equally well known as the counsel of the San Francisco Chamber of Commerce.

[July 8, 1851]

me at this house—About two days after I was on the Brig I again employed Mr F Pixley and Paid him 50\$—and also paid Mr Pixley 50\$ for Big Brummey who had been robbing a woman—2 days after a Constable came down from Auburn and identified me as the man who shot the Sheriff at Auburn²²—two or three hours another Constable came on board from Forsters Bar and recognized me as the man who had committed a murder near Forsters Bar—they go on shore to the office of Judge Sacket—Judge Sackett gave an officer a warrant to bring me on shore—I was taken to the office of Judge Sacket on J Street—Mr Pixley appeared for me and would not allow the Judge to examine me—I was again sent on board the Brig & Judge Sacket [gave] an order to the Sheriff to take my body to Marysville—The Sheriff came for me the next morning—When he came Mr Frank M Pixley told him his warrant was not good or legal and he could not have me—and he had to get another—I then gave Mr Frank M Pixley 600\$, in gold dust and an order for 130\$. which he told me he received and would pay me on the next day—the same night I made my escape from the Brig—I walked that day half way to dry Creek—half way to Stockton—the next day I disguised myself as well as I could—got on a steamboat and came to San Francisco—

I then lived in Sydney Valley (this was in December last) at the house of Mr Edwards—I went out at night—not often through the day—(Mr Edwards did not know that I had escaped from any place) I went to the Port Philip house corner Jackson & Gold St . . .²³ where I believe Mr Jansen

dorsement upon his evidence (p. 314), but he denied the alias, and there is no other reason to think that the real Hapwood ever came into the hands of the Committee.

²² On June 2, 1850, Sheriff Echols, of Auburn (then in Yuba County), was killed by two brothers, Samuel H. and William Stewart. Through the carelessness, or the connivance of the authorities, both men escaped, and at the time of the excitement over Berdue's trial, this crime was sometimes attributed to James Stuart, and sometimes confused with a murder of which he was guilty, that of Charles Moore, of Foster's Bar, who is occasionally spoken of as Sheriff Moore. An article in the *Sacramento Transcript*, August 30, 1850, gave full particulars of Echols' murder, and brief paragraphs on the same subject are found in the *Alta California*, February 24, 1851, and the *S. F. Picayune*, March 1, 1851.

²³ The first notes of Stuart's confession were rewritten for publication with some slight revision for the sake of clearness and smoothness of

with some slight revision for the sake of conciseness and uniformity of
 The first notes of Stewart's confessions were written for publication
 February 24, 1851, and the A. F. Freeman, March 1, 1851.
 wrote Transcendental, August 30, 1850, gave full particulars of Stewart's confessions,
 who is occasionally quoted as "Stewart Moore." The words in the above
 number of which he was guilty, that of Charles Moore, of Lewis's Bar,
 and at the time of the execution of the sentence of the authorities, both were executed.
 was killed by two brothers, James H. and William Stewart. Through
 hands of the Committee.
 is no other reason to think that the real Stewart ever came into the
 movement upon his evidence (p. 211), but he shared the office and then
 Jackson & Gold St. . . . where I believe Mr. James
 from any place) I went to the Fort Philip house corner
 through the day—(Mr. Edwards did not know that I had escaped
 at the house of Mr. Edwards—I went out at night—not often
 I then lived in Sydney Valley (this was in December last)
 to San Francisco—
 quired myself as well as I could—not on a steamer and came
 way to dry Creek—half way to Stockton—the next day I dis-
 night I made my escape from the brig—I walked that day half
 me he received and would pay me on the next day—the same
 M Pixley 600¢, in gold dust and an order for 180¢ which he told
 have me—and he had to get another—I then gave Mr. Frank
 ley told him his warrant was not good or legal and he could not
 came for me the next morning—When he came Mr. Frank M. Pix-
 order to the Sheriff to take my body to Marysville—The Sheriff
 I was again sent on board the Brig & Judge Sackett [gave] an
 appeared for me and would not allow the Judge to examine me—
 I was taken to the office of Judge Sackett on J Street—Mr. Pixley
 Judges Sackett gave an officer a warrant to bring me on shore—
 Fortlers Bar—they go on shore to the office of Judge Sackett—
 recognized me as the man who had committed a murder near
 hours another Constable came on board from Fortlers Bar and
 me as the man who shot the Sheriff at Auburn—two or three
 2 days after a Constable came down from Auburn and identified
 Pixley 50¢ for Big Brannan, who had been robbing a woman—
 employed Mr. F. Pixley and paid him 50¢—and also paid Mr.
 me at this house—About two days after I was on the Brig I again
 (July 8, 1851)
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[July 8, 1851]

live[d] next door to at the time—the first thing Whitaker²⁴ got information of about 8000. or 9000\$. in a meat market on Broadway near the foot of [. . .] st—I—John Edwards—Whitaker George Adams²⁵—we took the safe out of the window and could get it no further—the next thing was Chas^s Minturns safe Belcher Kay gave us the information²⁶—Kay had gone about 2 or 3 days before hand to ascertain what money there was—he was Port Warden at the time—I—John Edwards—Edward M^c Cormick—or Teddy—Sam^l Whitaker—Geo Adams—Belcher Kay Bob M^cKenzie²⁷ were in this scrape—We took a boat a set of shears—a Feather Bed—Augers—saws and all such tools to cut away with—and we all went well armed—we got expression. A portion of such a corrected copy has been preserved in the files, and it has been followed up to this point, but the statement is continued from the rough draft.

²⁴ Samuel Whittaker shared with Stuart the leadership of the Sydney criminals, and the Committee spent much time and money in a vain effort to capture him. Meanwhile he made his way to the south, where he was apprehended August 8, by the sheriff of Santa Barbara County. The latter took him to San Francisco, intending to deliver him to the authorities there, but the Vigilance Committee obtained possession of him first (p. 454). His confession (pp. 468–487), acknowledged his participation in many crimes, and he was sentenced to die on the 20th of August, but was removed by force from the rooms of the Committee, owing to the intervention of Governor McDougal (p. 528). The Committee recovered him from the county jail and hung him on the 24th.

²⁵ George Adams, alias William Wilson, had escaped from the authorities, after being indicted for a robbery of Colonel Stevenson's office on March 16. After several unsuccessful efforts, the Committee captured him, July 18, in a tent on the American River. He was detained at headquarters for examination until August 5, then delivered to the authorities, and tried in the Court of Sessions on the charges of burglary and grand larceny. He pled guilty to the former, and was convicted of the latter offence, and was sentenced to ten years' imprisonment on each count. *S. F. Herald*, July 21, Aug. 7, 26–30, Sept. 3, '51.

²⁶ T. Belcher Kay had already been suspected of complicity with criminals (p. 32). After this confession was published he hastily left for Sacramento, where he was arrested by a member of the Committee, but allowed to go at large under promise that he would accompany his captor without the use of force. He immediately returned, secretly, to San Francisco, and gave himself up to the authorities, in order to evade trial by the Committee. When he was discharged, for want of indictment, he succeeded in escaping, unnoticed, on a steamer bound for Panama. *S. F. Herald*, July 17, 21, August 2.

²⁷ Robert McKenzie, or Kinney, was captured in Sacramento, July 29, and his trial was held in conjunction with that of Whittaker. Like his companion, he, also, made a confession (pp. 463–467), was condemned to die, was seized by the authorities, recaptured by the Committee and executed on August 24.

[July 2, 1851]

live[d] next door to at the time—the first thing Whitaker got information of about 2000, or 3000, in a man named on Broadway near the foot of [. . .] at—I—John Edwards—Whitaker George Adams—we took the case out of the window and could get it no further—the next thing was [the] minutes after Belcher Ray gave us the information—Ray had gone about 2 or 3 days before hand to ascertain what money there was—the new Port Warden at the time—I—John Edwards—Edward M. Cornick—or Tolly—Samuel Whitaker—Geo. Adams—Belcher Ray, Bob McKenney, were in this scrape—We took a boat, a set of sheets—a painter Beh—Amos—saw and all such tools to cut away with—and we all went well armed—we got

expression. A portion of such a corrected copy has been preserved in the files, and it has been followed up to this point, but the statement is continued from the same date.

Samuel Whitaker shared with Kinn the leadership of the party estimate, and the Committee spent much time and money in a vain effort to capture him. Meanwhile he made his way to the south, where he was apprehended August 2, by the sheriff of Santa Barbara County. The latter took him to San Francisco, intending to deliver him to the authorities there, but the Vigilance Committee obtained possession of him first (p. 454). His confession (pp. 462-467), acknowledged his participation in many crimes, and he was sentenced to die on the 29th of August, but was removed by force from the room of the Committee, owing to the intervention of Governor McLaughlin (p. 528). The Committee respected him from the county jail and hung him on the 24th.

George Adams alias William Wilson, had escaped from the authorities after having obtained for a robbery of Colonel Stevenson's office on March 16. After several unsuccessful efforts the Committee captured him July 12 in a boat on the American River. He was detained at San Francisco for examination until August 2, then delivered to the authorities and tried in the Court of Sessions on the charges of burglary and larceny. The jury found him guilty in the former, and was convicted of the latter offence, and was sentenced to ten years' imprisonment on each count (p. 471, 472, 473-474, 475-476, 477).

T. Belcher Ray had already been suspected of complicity with criminals (p. 525). After this conviction was published he became very unpopular. When he was arrested by a member of the Committee, he attempted to go at large under promise that he would accompany the captain without the use of force. He immediately returned, contrary to San Francisco, and gave himself up to the authorities in order to make trial by the Committee. When he was arrested for trial in November, he succeeded in escaping, succeeded on a steamer bound for Panama (p. 525, 526, 527, 528, 529).

Robert McKenney or Kinn, was captured in Sacramento, July 20, and his trial was held in connection with that of Whitaker. Like his companion, he also made a confession (pp. 462-467), and was sentenced to die, was held by the authorities respected by the Committee and executed on August 24.

[July 8, 1851]

inside and moved the desks—and the safe about one foot or so—and made a few auger holes in the floor—some one came to the door at this time and we had to run—McKenzie gave the wrong signal or we should not have stood for one man—we jumped out of the window and swam on shore every one for himself—and made the best use of our legs—The next place was one that Belcher Kay had examined and reported there was about 20000. or 30000.\$ worth of Jewelry—I, and Edwards went up stairs and thought it could not be done—as there were several in the lower story—we would not mind one or so up stairs—we could soon stop them—Belcher Kay was with me—The next thing was one Belcher Kay discovered viz Macondray & Cos he told us there was three safes and one vault—and plenty of money—when it came the night to do it one or two backed out and we gave it up—The night after Mr Whitaker told us of Mr Jansens²⁸ place—he told us that he saw Mr Jansen move about 10000. to 15000.\$ we agreed to go and get it—I with—Jim Briggs²⁹—John Morris—Morgan—Sam^l Whitaker—Edward Mc Cormick alias Teddy—Billy Hughes—Belcher Kay—John Edwards

The above were all with us at Macondray & Co & Jansen—Morgan & Briggs had been with us about 10 days—the rest had been with us for a long time—Morgan went in Mr Jansens store first

we saw him go up—Whitaker & self stood at the window while he went in—I thought he was too long—and so went in to help him—I got about half way up when I heard Mr Jansen asked Morgan—What he wanted there—Morgan told him he wanted some Blankets—he turned around and saw me—I told him I also wanted Blankets—he stepped about 2 yards to show me some Blankets—(I forgot to state we had cloaks on as a disguise) I hit him on the head with a slung shot and knocked him down—I then left Morgan to take charge of him while I searched the store for money—I looked about and opened a desk and took out a Shot Bag cont'g money—we then went out and went home with the money—I carried the money all the way

I then counted out the money—found 1586.\$ in gold coin—I divided it into eights making 196\$ ea—we then came down town

²⁸ For the Jansen robbery, see note 4, p. 137.

²⁹ See note 16, p. 228.

[July 8, 1851]

as usual as though nothing was the matter—and went to Mrs Hogans³⁰—stop'd there 2 or 3 hours and then went home—The next day there was considerable fuss about it—we did not intend to do anything more until the parties arrested (Stuart and Windred) got clear of the scrape, as we did not wish to see them hung, as they had nothing to do with it—we all agreed on Sunday night that if they hung them to burn the town down—

The next night we agreed to rob Beebees & Ludlows & Co Bank—the same party of eight with the assistance of Rob McIntire & Andy McCarty³¹—Police Officers—these Police told us any time we were ready to do it they would take away the Police on station away—The same Police Officers came here to recognize me but did not know me—we tried it two night—had a key to unlock the outside door—we watched two days and thought there was not money enough as we saw the Porter go to Mess Argentis & Co in the morning and bring the money from there—and return it at night The next night we went to Mr Youngs Bank next the El Dorado—we got good information from Morris Morgan about the vault, he help build it, we went down the steps of El Dorado and with forced keys we opened the door—we went in & found two beds in the place—we found it would take too long as these people slept in the lower floor of the El

³⁰ Michal Hogan and his wife Mary Ann kept a boarding house frequented by Stuart and his friends. They were brought to headquarters a day or two after this mention of their names, but gave no information of importance. After Stuart's execution Mrs. Hogan attempted to leave California on the *Cameo*, but the Committee removed her from the vessel and detained her, for a short time, as a valuable witness. (*S. F. Herald*, July 21.) She was soon released, but watched in the hope that she might furnish a clue to the whereabouts of Whittaker, with whom she was known to be intimate (p. 363), and the *Herald* attributed his final capture to an effort on his part to join her at San Diego. She was again a prisoner of the Committee during his trial, and detained until she had heard and corroborated his confession, then discharged with the recommendation that she be sent out of the country. (see also pp. 488, 501).

³¹ McIntyre and McCarty disclaimed any connection with the Sydney criminals (p. 305), but they were frequently implicated in other statements and confessions, and since they refused to recognize Stuart when called to headquarters (p. 176), their complicity may fairly be inferred. They appealed to the public through the press and the *S. F. Herald*, July 19, printed their communication, and acknowledged the good character previously born by McIntyre, but asserted that the disordered condition of the city had made the people look with distrust upon the entire police force.

[July 8, 1851]

as usual as though nothing was the matter—and went to Mr. Hogan's—stop'd there 2 or 3 hours and then went home—The next day there was considerable talk about it—we did not intend to do anything more until the parties arrested (Stuart and Winchell) got clear of the scene, as we did not wish to see them hung, as they had nothing to do with it—we all arrived on Sunday night that if they hang them to burn the town down—

The next night we agreed to rob Bishop & Ladlow & Co Bank—the same party of eight with the assistance of Rob McIntire & Andy McCarty—Police Officers—these Police told us any time we were ready to do it they would take away the Police on station away—The same Police Officers came here to recognize me but did not know me—we tried it two nights—had a key to unlock the outside door—we watched two days and thought there was not money enough as we saw the Porter go to Miss Argente & Co in the morning and bring the money from there—and return it at night The next night we went to Mr. Youngs Bank next the El Dorado—we got good information from Morris Mackay about the vault, he help build it we went down the steps of El Dorado and with forced keys we opened the door—we went in & found two beds in the place—we found it would take too long as these people sleep in the lower floor of the El

as Michael Hogan and his wife Mary Ann kept a boarding house two guests by Stuart and his friends. They were brought to San Francisco a day or two after the mention of their names but gave no information of importance. After Stuart's execution Mrs. Hogan attempted to leave California on the ground that the Committee removed her from the vessel and detained her for a short time as a valuable witness. (A. F. Winchell July 21.) She was soon released, but watched in the hope that she might furnish a clue to the whereabouts of Winchell, with whom she was known to be intimate in 1851, and the records attributed the fact entirely to an effort on her part to gain her at San Diego. She was again a prisoner of the Committee during the trial, and detained until the last heard and contemplated the execution, then departed with the remembrance that she be sent out of the country (see also pp. 231, 232).

Stuart and Winchell's identification with communication with the friends estimated in 1857, but they were thoroughly implicated in other state means and concluded, and since that returned to residence about which called to headquarters in 1858, their complete moral state is unknown. They appeared in the public through the press and the A. F. Winchell July 19, printed their communication and acknowledged the moral character previously known to Winchell, but asserted that the historical condition of the city had made the people less with distrust upon the entire police force.

[July 8, 1851]

Dorado Belcher Kay and the same party were with us Next night we got a small safe from Emerson & Dunbars only about 24\$ in it—Next night we went Lawyer Whittemores³² and got a safe we took the safe up in the sand hills and was discovered in breaking it open Morris Morgan & Jim Briggs were taken in this scrape—we lost all our tools by this operation—tools worth about 500\$—

We went to Mrs Hogans except Billy Hughes I did not like to see t[w]o men go to Police Office I wanted the rest to go with me and take them out by force—they would not do it—they thought Lawyer Parbut would get them out in the morning—Morgan was acquitted next day. Next day I left for Gold bluffs in ser. "*B. L. Allen*" 27 days passage First man I saw at the bluff was B B McKinsley³³ "*Dab*" (the horse thief) and James Peet. Came down from Oregon—Peet said that he and Dab had taken some 60 head of horses from Sac. Valley to Oregon and sold them. played cards with Dab and won some \$300—came back and paid passage for Dab & Peet to keep them quiet. "*Dab*" threatened me and I gave him \$50.—Went to Kitchen³⁴ and got him to send a boat for my things on board of Schr—"Dab" had me arrested as I was going to Sydney Valey—drew on policeman and then gave him \$100—Stop'd that night at Kitchens—saw Mrs Hogan—She said there was a warrant for Whittaker and long Charley for robbery of some \$1600—Thought it unsafe to stay in her house—Went to a stable to hire a horse and rode to Monterey ("*Carlisle*")—my name at this time. I was anxious to arrive in time for the trial of the parties concerned in the robbery of the Custom House—All my things are now at Kitchen's—Went and saw the prisoners as soon as I arrived there—Second night after my arrival my horse was stolen—Dick Osman³⁵ was first put on trial³⁶—*Parbut* was his

³² "*Gladwin and Whitmore*"; Stuart's confession as printed in the *S. F. Herald*, July 18.

³³ "*Bob McKenzie*"; *ibid.*

³⁴ Kitchen who was mentioned in Stuart's first statement (p. 139), was a boatman and often helped the Sydney men in their criminal transactions.

³⁵ See note 16, p. 228.

³⁶ The confession is so obscure at this point that the following paragraph is reprinted from the *S. F. Herald*, July 18: "We all knew the

Dorado Belcher Kay and the same party were with us. Next night we got a small safe from Emerson & Dunham only about 24 in it—Next night we went Lawyer Whittemore's and got a safe we took the safe up in the sand hills and was discovered in breaking it open. Marks Morgan & Jim Brown were taken in this scrape—we lost all our tools by this operation—tools worth about 500\$—

We went to Mrs. Thomas except Billy Hughes. I did not like to see [w]o men go to John O'Connell. I wanted the rest to go with me and take them out by force—they would not do it—they thought Lawyer Farbot would get them out in the morning—Morgan was acquitted next day. Next day I left for Gold bluffs in car. "A. J. Miller" 27 days passage. First man I saw at the bluff was B. B. McKimbley. "Dab" (the horse thief) and James Peet. Came down from Oregon—Peet said that he and Dab had taken some 60 head of horses from Sac Valley to Oregon and sold them. Played cards with Dab and won some \$300—came back and paid passage for Dab & Peet to keep them quiet. "Dab" threatened me and I gave him \$50—Went to Kitchen's and got him to send a boat for my things on board of S. B. "Dab" had me arrested as I was going to Sydney Valley—down on policeman and then gave him \$100—Stop'd that night at Kitchen's—saw Mrs. Hogan—she said there was a warrant for Whitaker and long Chaffey for robbery of some \$1000—Thought it unsafe to stay in her house—Went to a stable to hire a horse and rode to Monterey ("Caribic")—my name at this time. I was anxious to arrive in time for the trial of the parties concerned in the robbery of the Carson House—All my things are now at Kitchen's—Went and saw the prisoners as soon as I arrived there—Second night after my arrival my horse was stolen—Dick Osburn was first put on trial—4th night was his

22 "Clarkin and Whittemore's" statement's confession as related in the E. F. Record, July 15.
23 "Bob McKimbley" 1851.
24 Kitchen who was mentioned in Brown's list as having in 1851 was a partner and after the robbery was in their criminal transactions.
25 See note 16, p. 232.
26 The confession is so obscure as to leave but the following part graph is repeated from the E. F. Record, July 15: "We all took the

[July 8, 1851]

counsell I apd. as witness name "*Carlisle—Whittaker* also apd. Kitchen arr'd next morning and also appeared—Counsell for prosecution Weller Botts & Wallace—for prisoners Parbut. Merritt Mc Donald Sheriff Roach reed a gold watch and \$700 in Cash³⁷ juryman Morrisson also reed \$100.—Dennis McCarthy also reed \$100. for false swearing—Stated to me that he had a

parties were guilty. Although they took thirteen thousand dollars down from San Francisco all that was robbed was eight thousand dollars, though Randall said he had lost thirty thousand dollars. The fact is that Parbut, McDonald and Judge Merritt were counsel for prisoners, and Col. Weller, Butts and Wallace for prosecution—there was a great deal of swearing falsely and bribery. The Sheriff of Monterey received \$700 and a gold watch for packing the jury and other services; and Morrison, a juryman, received \$100 from the prisoners, which was paid after the trial. Dennis McCarthy was constable. He received \$100 for false swearing from prisoners. He first swore for prosecution and swore back in favor of prisoners. The judge knew nothing about it. Jim Carson, a juryman, held out for guilty. He was bribed by the prosecution. All the money was taken from the prisoners; the court charges, amounting to one thousand dollars, was first taken out, and the balance of thirteen thousand dollars, say twelve thousand dollars, was equally divided between the prisoners' and prosecuting counsel. The prisoners then paid their own lawyers. Randall got one-half and the prisoners the other half of the twelve thousand dollars. Morgan, Tom Quick and Ryan were in jail, but Osman was tried and consented to the division. Parbut told me to let the prisoners out of jail, and I broke the door down and let them out."

The Custom House at Monterey was robbed of some \$14,000 on December 8, 1850, most of it being the private property of Dr. Randall, the collector (*Alta California*, Dec. 19, 1850). Osman, Ryan, Briggs and Morgan were arrested for the crime and about that amount of money was taken from their possession, although legal proof of their guilt was so inadequate that criminal conviction was considered unlikely. To prevent the accused from regaining the money, by a civil suit instituted in their behalf, Dr. Randall began a civil suit to obtain it, and after the disagreement of the jury in the criminal suit (described by Stuart), the two civil suits were compromised, by an equal division of the contested fund between Randall and the prisoners, after costs of \$800 had been deducted. This account is from an article in the *S. F. Herald*, July 16, 1851, signed by J. B. Weller, one of the counsel in the case. He corrected the lawyers' names as printed on the 12th, giving Parbut, McDowell and Judge Merritt, for the defendants, and Weller, Butts and Wallace, for the prosecution, and he indignantly refuted the insinuation that W. T. Wallace, the district attorney, acted in any dishonorable manner in the conduct of the trial.

³⁷ The friends of Sheriff Roach made a vigorous protest against these charges. The *S. F. Herald*, July 30, published resolutions adopted at a meeting of citizens held at Monterey on the 24th which expressed the utmost confidence in Roach's honesty and characterized Stuart's statement as criminally and maliciously false, and the *Alta California*, July 19, printed a letter from the mayor, P. A. Roach (no relation of the sheriff) which gave some details of the trial, upheld Roach's integrity in the fulfillment of his duty, and asked the citizens of San Francisco "not to believe a felon's accusation against an honest man until some better proof be obtained."

[July 8, 1851]

promise of \$2000—from each party—and swore both ways
 recd one hundred dollars—Jim Carsons held out for guilty and
the Eleven others for [not] guilty. Abt \$13000 for the whole amt
 recovered—\$1000. for expences of the Court and the balance
 divided between persons who paid their lawyers fees—Randall
 got the half of the 12 thousand Dolls. Morgan Tom Quick³⁸ &
 Ryan were in jail at the time of the trial—Parbut told me to go
 down and let them out of jail—went down and *busted* the jail
 open—Went to the Southern Mines after seeing all friends off
 and walked to Mission of San Juan. then took stage for San
 Jose

From San Jose *found* a tidy horse and started for the mines
 —got surrounded by some Mexicans near the Joaquin and had
 my horse taken from me—Went back some eleven or twelve miles
 to Livermore's Pass—gave them my watch & chain for my liberty
 and started for Sonora—Went to Sullivans and worked abt one
 week—Then went to Mariposa worked nearly 3 wks there—Met
 2 men who knew me did not feel safe to stay where I was
 known—Came down to San Francisco. Arrived on Tuesday
 night—found Kitchen at the *El Dorado* Then went to where
 K. formerly lived—Next morning went to Mission—to meet a
 cousin—saw him there—Wanted to rob an old Spaniard—dont
 know his name—Cousin calls himself Stephens—Same one recog-
 nized by Mr Ellis & Mr Brinley—Did not know where the money
 was kept—went in and looked at the safe.—told him I would
 Come and find some one and see him again was arrested *doing*
*nothing*³⁹

Str Starr—Some time in Jany or Feby—Rode down with
 Smith from San Francisco to San José and Santa Clara for the
 purpose of getting the gold and silver from the Churches
 Could not find any golden images tho I attended Mass regularly
 —Left embarcadero soon for San Francisco—Boat got stuck on
 the bar All hands called into the cabin to be searched—took my

³⁸ Thomas Quick, alias Turner or Tanner, was, in August, arrested by
 the Committee, on suspicion of complicity in the robbery of Robert's
 jewelry store (p. 31), and after examination he was ordered to leave
 California, at his own expense.

³⁹ Stuart was entirely innocent of the petty robbery for which he was
 finally arrested, on July 1.

promise of \$2000—from each party—and swore both ways
need one hundred dollars—Jim Carson had out for unity and
the Elmer others for [not] unity. All \$12000 for the whole and
recovered—\$12000 for expenses of the Court and the balance
divided between persons who paid their lawyers fees—Lundall
got the half of the 12 thousand Dollars Morgan Tom Quinn &
Ryan were in jail at the time of the trial—Farbot told me to go
down and let them out of jail—went down and busted the jail
open—Went to the Southern Mines after seeing all friends off
and walked to Mission of San Juan then took stage for San
Jose

From San Jose found a tidy horse and started for the mines
—got surrounded by some Mexicans near the Jacquin and had
my horse taken from me—Went back more eleven or twelve miles
to Livermore's Farm—gave them my watch & chain for my liberty
and started for Sonoma—Went to Solvins and worked all one
week—Then went to Mariposa worked nearly 3 wks there—Met
2 men who knew me did not feel safe to stay where I was
known—Came down to San Francisco Arrived on Tuesday
night—found Kitchen at the El Nevada Then went to where
K. formerly lived—Next morning went to Mission—to meet a
cousin—saw him there—Wanted to rob an old Spanish—dust
know his name—Cousin calls himself Stephens—Same one twice
nized by Mr Ellis & Mr Brinkley—Did not know where the money
was kept—went in and looked at the safe—told him I would
Come and find some one and see him again was arrested during
retaining

Mr Starr—Some time in July or early—Rode down with
Smith from San Francisco to San Jose and then Clara for the
purpose of getting the gold and silver from the Church
Could not find any further traces than I attended alone regularly
—Left emigrants men for San Francisco—Hut got stuck on
the bar All hands called into the cabin to be searched—took my

as Thomas Quirk, alias Turner in Toronto, was in August, arrested by
the Committee on suspicion of complicity in the robbery of Robert's
jewelry store (p. 21), and after examination he was ordered to leave
California at his own expense.

as Stuart was actively prominent in the petty robbery for which he was
finally arrested, on July 1.

[July 8, 1851]

dust and that of one other passenger—money stolen I know nothing of ⁴⁰—

Self Jno. Edwards. Teddy Mc Cormick went on board Str "Starr" opened the window and also the desk and took some \$250—

Questions Presented for Stuart's Examination

Did you not steal a Safe from Emerson & Dunbars Store in Sansome St. near Central Wharf in February last?—

Did you know Jenkins? —Burdue? —Watkins? —Lewis? Windred?

Do you know Thos Burns, Tom Scott, Hetherington, Alex Wright, Morris, Hennessey,—Lavers, Mrs White, Mr & Mrs Connelly, Barnes the tinman

What house did you go to when you landed with the plunder from the Brig *James Caskie*.—

What date was it?

What were the names of the parties for whom you sold horses at Sac City.—

How did Moore die, who kept the house at Sac City,—What was his first name?—

What date did you leave Sac City with the load of stolen goods for Mormon Island?—

What is Old Jacks name, and where is he at the present time?— Where is Edwards?— Was it in the *night time* when you broke into Mr Smiths Lumber Yard.—

Describe the man Hopkins.—

Do you know Lacy

Were you connected with a burglary on Broadway in this city, about six weeks since. Jno Wilson

Do you know anything about a trunk being stolen from a House near the corner of Broadway & Mason in Dec last Marked A— T— L.—

Do you know anything about a Robbery at the Liquor Store of Mr Maynard & Co in the Brick Building,—on Washington St below Montgomery

To whom did you give your boat at Fosters Bar? Were you

⁴⁰ See pp. 188-193.

To whom did you give your boat at Foster's Bay? Were you

before Montgomery?

of Mr. Hayward & Co in the brick building—on Washington St?

Do you know anything about a robbery at the Lagoon Store

A—T—L—

House near the corner of Broadway & Mason in Dec last started

Do you know anything about a trunk being stolen from a

city, about six weeks since. Jan Wilson

Were you connected with a burglary on Broadway in this

Do you know Lacy?

Describe the man Hopkins—

you broke into the Smith's Lumber Yard—

time?—Where is Edwards?—Was it in the night time when

What is Old Jack's name, and where is he at the present

goods for Morrison Island?—

What date did you leave Sac City with the load of stolen

was his last name?—

How did Moore die, who kept the house at Sac City?—What

at Sac City—

What were the names of the parties for whom you sold horses

What date was it?

from the Big James Cattle—

What house did you go to when you landed with the plunder

nally, Barnes the human

Wright, Morris, Hennessey—Lavers, Mrs White, Mr & Mrs Con-

Do you know Thos Burns, Tom Scott, Hetherington, Alex

Windsor?

Did you know Jenkins?—Barnes?—Watkins?—Lavis?

Sansone St near Central Wharf in February last?

Did you not steal a Sals from Emerson & Dunbar Store in

Questions Presented for Stuart's Examination

\$250—

"Star" opened the window and also the desk and took some

Sell

Jan. Edwards, Teddy Mc Cormick went on board Sir

nothing of—

Just and that of one other passenger—money stolen I know

[July 5, 1881]

[July 8, 1851]

guilty of the murder of Chas Moore— and did you shoot at the Sheriff of Auburn—

What name did you go by when under arrest at Sac City, at the time you paid Pixley \$600—and in what name did you give the order for the \$130—

Was Hughes & Hunt connected with the Co at Fosters Bar?—

What was the date of arrival at Fosters Bar?

What was the name of the man you employed to work in your stead at Fosters Bar?—

Have you told us of all the crime committed by you while at Fosters Bar?—

Are you a married man?—

If so where is your wife?—

What was the character of house kept by Dodge or Dodge & Co? at Fosters Bar?

What was the name of the Cook at the El Dorado at Fosters Bar?—

What were the names of the three Americans and the Sydney man whose business was horse stealing at Fosters Bar?—

Did you know an American Horse thief by the name of "Otis" "Hall" or "Hill," he spoke Spanish very well, and used to be a partner of "Fisher" from Monterey, who had a Monte Bank in the Mines?— Did you not hear that this man was arrested in Monterey and was to be "hung" but "Watkins" and others broke him out of the Calaboose⁴¹

Tell me if "Ryan" in Monterey was in that Job, of the "Custom House" robbing,— Did you know "Osman" who was in that affair,

Do you know "Davis" the "Jew" in Monterey did you know him in the Colonies

⁴¹ Otis, alias Wood, a notorious horse thief, had been sentenced to death by a "peoples' court" in Monterey April 16, 1851. The sheriff rescued him on the way to execution and placed him in jail, from which he promptly escaped. He was rearrested, in Los Angeles, July 28, and sent under guard to Monterey, where he was sentenced to four years' imprisonment. The *S. F. Herald*, August 16, reported that he had been taken from prison and hung by a Vigilance Committee, but two days later the same paper stated that he had been found murdered in his cell by unknown assassins.

"One alias, 'Ward', a notorious name, had been assigned to death by a 'pardon' given to Montezuma April 10, 1911. The story reached him on the way to execution and placed him in jail from which he promptly escaped. He was re-arrested in Los Angeles, July 12, and sent under guard to Montezuma, where he was sentenced to four years' imprisonment. The A. B. Howell Agency is reported that he had been taken from prison and given by a Vigilance Committee, but two days later the same paper stated that he had been found murdered in his cell by unknown persons."

Know him in the Colonias
Do you know "Davis," the "Law" in Montezuma? Did you
was in that affair.

"Custom House" robbing. — Did you know "Gorman," who
Tell me if "Hgan," in Montezuma was in that job of the
broke him out of the Colonias."

Montezuma and was to be "hang," but "Watkins" and others
the mine! — Did you not hear that this man was arrested in
partner of "Fisher," from Montezuma, who had a Monte Bank in
"Hall" or "Hill," he spoke Spanish very well and used to be a
Did you know an American Horse thief by the name of "Ole?"

man whose business was horse stealing at Foster's Bar? —
What were the names of the three Americans and the Sydney
Bar? —

What was the name of the Cook at the El Dorado at Foster's
Col at Foster's Bar?

What was the character of house kept by Dodge or Dodge &
It so where is your wife? —
Are you a married man? —

Foster's Bar? —
Have you told us of all the crimes committed by you while at
stead at Foster's Bar? —

What was the name of the man you employed to work in your
What was the date of arrival at Foster's Bar?

Was Hughes & Hunt connected with the Co at Foster's Bar? —
Give the order for the \$130 —
at the time you paid Fisher \$500 — and in what name did you

What name did you go by when under arrest at San City.
Squire of Auburn —
guilty of the murder of Chas Moore — and did you shoot at the

[July 8, 1851]

Was not the man John Edwards, known as "Tom Edwards," a man with reddish beard?—

Did you not rob a Jewellers Store in Levee St—Sac City?

What was the amount of money stolen from the Brig "*James Caskie*"

What was the date of your escape from Sac City.

Did you use to wear a Serape & Calceneros when coming out at night while living in Sydney Valley?—

How long have you known Belcher Kay?— Did you know him in the Colonies?—

Was Belcher Kay inside of Minturns Office? Where was you boarding at the time of the entrance into Minturns office— where did the rest board? Where you concerned in the robbery of a safe from the store of Gladwin & Whitmore on California Street—

What is the name of house kept by Mrs Hogan—

Was Morgan not known by the name of Morris.— What plot was it you referred to on the part of the Sydney men, and who are the parties implicated?—

What became of Adams after Minturns robbery—

Do you know by what means Adams & the other prisoners got out of the Station house?—

Do you Know who makes Burglars tools here?

Did you make the proposition to M^c Carty & M^c Intire, or did they propose to you to assist you in your robberies

What was the name of Kitchen's house?—

What is Dabs name?—

At what time was it you came up from San Jose in the Steamer "*New Star*"—Did you steal the Gold Dust

At what time did you return from Trinidad

Is Kitchen a printer, and is he now in Town

What became of the money which was stolen from the *Custom House*, as you say the money taken from prisoners was carried by them to Monterey—

[The answers to the foregoing questions are not found in the files of the Committee, but they were published with Stuart's confession, in the daily papers. The following reprint is from the *S. F. Herald*, July 18:]

[The answers to the foregoing questions are not found in the files of the Committee, but they were published with Stuart's confession in the daily papers. The following report is from the N. Y. Herald, July 1901.]

How, as you say, the money taken from prisoners was carried
What became of the money which was stolen from the Customs
Is Kitchin a printer, and is he now in Town
At what time did you return from Tishin
Steamer "New Star"—Did you steal the Gold Bull
At what time was it you came up from San Jose in the
What is Dada's name?
What was the name of Kitchin's house?
They propose to you to assist you in your robberies
Did you make the proposition to Mr. Cary & Mr. Justice, or did
Do you know who makesburgers took here?
Got out of the Station house?
Do you know by what means Adams & the other prisoners
What became of Adams after Minutemen robbery?
Are the parties implicated?
Was it you referred to as the part of the Sydney man, and who
Was Blarigan not known by the name of Morris?—What then
What is the name of house kept by Mrs. Hogan—
Street—

of a safe from the store of Gladwin & Whitmore on California
where did the rest board? Where you concerned in the robbery
boarding at the time of the entrance into Minutemen office—
Was Belcher Kay inside of Minutemen Office? Where was you
him in the Colonies?
How long have you known Belcher Kay?—Did you know
at night while living in Sydney Valley?
Did you use to wear a Scarap & Calcutt when coming out
What was the date of your escape from San City.
Cassie"

What was the amount of money stolen from the Brig "James"
Did you not rob a Jewellers Store in Lavee St—San City?
a man with reddish beard?
Was not the man John Edwards, known as "Tom Edwards,"
[July 8, 1891]

[July 8, 1851]

Cross-examination.—Knew Jenkins; knew Windred; thinks he is gone out of the country; know Adams; does not know where he is now; know Nelson and Wilson, horse-thieves in Sacramento City, when I landed from the *J. Kaskie*, went to Edwards' house; John Edwards has red whiskers; is an Englishman; broke into Smith's lumber-yard about 8 o'clock at night; Jemmy-from-town stole a trunk from Mr. A. J. Ellis' house; Jemmy-from-town robbed Dow's safe, and blew it up with powder; gave Pixley an order for my money in the name of James Campbell; arrived at Foster's bar about the middle of April; hired Sullivan, Hunt and Hews to work at Foster's Bar; never committed more crimes at Foster's Bar than I have stated; Dodge & Co. kept a gambling house at Foster's Bar; names of three Americans and one Sydney man, horse thieves, Dabb, Peet and another man, name forgotten; think I knew of every robbery committed in Sacramento, when I was there; have worn a serape and rode on horseback in San Francisco; I generally board at Edwards' house; some of my friends have boarded at the Port Phillip House; John Morgan is known here as John Morris and lives with Briggs; is 50 years old, large, stout fellow, and weighs 15 stone. Have heard hundreds remark here that the day would soon come when this country would be taken by the Sydney people. We have had an understanding with police officers McIntyre and McCarty for a long time; they were concerned with us in the robbery of Young's Bank, next to the El Dorado. Don't know who makes burglars' tools; Briggs makes some. Knew Otis, a horse thief, saw him arrested and saw him on trial.—Knew Pico; did not know Fisher or Hill or Hull at Monterey. Ryan was the only one who robbed the Monterey Custom House that reaped any benefit. I gave Pixley an order for \$113 on Lowe; lives on Front street, Sacramento City; has a bow window in it; very pretty house.—Money stolen from Jansen was divided in Edward's house, near Clark's Point. A quarrel between Belcher Kay and Whittaker was caused because they did not equally divide the money. We should certainly have fired the town in three or four places, had the men arrested for striking Jensen been hung. The men who committed the jewelry robbery here, were George Adams and

Cross-examination.—New Jackson; knew Winfield; thinks he is gone out of the country; know Adams; does not know where he is now; know Nelson and Wilson, horse-thieves in Sacramento City, when I landed from the A. Kaskas, went to Edwards' house; John Edwards has red whiskers; is an Englishman; broke into Smith's lumber yard about 8 o'clock at night; James from town stole a trunk from Mr. A. J. Ellis' house; James from town robbed Dow's safe and blew it up with powder; gave Fiske an order for my money in the name of James Campbell; arrived at Foster's bar about the middle of April; hired Sullivan, Hunt and Hays to work at Foster's bar; never committed more crimes at Foster's bar than I have stated; Locke & Co. kept a gambling house at Foster's bar; names of those Americans and one called my man, horse thieves, Fisk, Ford and another man, name forgotten; think I know of every robbery committed in Sacramento when I was there; have worn a wig and made an hawkback in San Francisco; I generally board at Edwards' house; some of my friends have boarded at the Fort Fidelity House; John Jackson is known here as John Morris and lives with Hays; is 30 years old, large, stout fellow, and weighs 15 stone. Hays board him checks remark here that the day would soon come when this country would be taken by the Sydney people. We have had an understanding with police officers McIntyre and McIntyre for a long time; they were concerned with us in the robbery at Young's Bank, next to the Elbow. Don't know who makesburgers, took; Hays makes some. When O'Leary a horse thief, saw him arrested and saw him on trial.—Hays, Ford; did not know Foster or Hill or Hall at McIntyre. Hays was the only one who robbed the McIntyre Custom House that escaped any penalty. I gave Fiske an order for \$113 on Jones; lives in Front street, Sacramento City; has a bar window in it; very pretty house.—Money stolen from James was divided in Edwards' house, near Clark's Point. A quarrel between Fisher Ray and Winfield was caused because they did not equally divide the money. We should certainly have fired the town in three or four places, had the men arrested for striking James been hung. The men who committed the jewelry robbery here were George Adams and

[July 8, 1851]

Teddy McCormick. I have been to Angel Island; generally stop at Daniel Wilder's house; think there are no robbers there. Mrs. Hogan's house is a crib for stolen property; she wears my daguerreotype; she knows all about our motions. Mr. Hogan is innocent.

[*Stuart, alias Campbell, in account with F. M. Pixley*]

San Francisco July 8-51

\$500—00

At Sight

Please Pay to my own Order the Sum of five Hundred Dollars and Charge the Same to my account

your Obedient Servant

[Signed] James Campbell

To F M Pixley Esq

San francisco Cal

To Mr Pixley in a/c with James Campbell

To this acct pd you \$730—

By Professional Services \$230.00

" Balance Due to me 500.00

\$730.00

\$730.00

E & O E

San Francisco July 8-51

[Signed] James Campbell

To Bal^{ce} Brot Down \$500.00

[Endorsed:] James Campbell

*Hetherington's Statement*⁴²

Boarded with Mr & Mrs Hogan—Hogan went to the mines, asked me to take charge of the House until he ret^d—saw the

⁴² The statements of Hetherington were exceedingly valuable in identifying "Stevens" with Stuart, the assailant of Jansen and the murderer of Charles Moore. In spite of the intimacy of this witness with the most notorious Sydney convicts, he seems never to have fallen under the suspicion of the Committee of Vigilance of 1851, but it is probable that he was the same Joseph Hetherington, of San Francisco, who killed Dr. John Baldwin, August, 1853, and who was hung by the Vigilance Committee of 1856 for shooting Dr. Andrew Randall. The *Alta California*, July 25,

ACADEMY OF PACIFIC COAST HISTORY
 [July 8, 1921]
 Teddy McCormick. I have been to Angel Island; generally stop
 at Daniel Wilber's house; think there are no robbers there. Mrs.
 Hogan's house is a crib for stolen property; she wears my
 daguerrotype; she knows all about our motions. Mr. Hogan is
 innocent.

[Edward, alias Campbell, in account with R. M. Pinsky]
 San Francisco July 8-21

\$200-00
 At Sight
 Please Pay to my own Order the Sum of five Hundred Dol-
 lars and Charge the Same to my account
 Your Obedient Servant
 (Signed) James Campbell

To F. M. Pinsky Esq
 San Francisco Cal

To Mr Pinsky in a/c with James Campbell
 To this acct by you \$750-
 By Professional Services \$230.00
 " Balance Due to me 500.00
 \$730.00 \$730.00

E & O E

San Francisco July 8-21
 (Signed) James Campbell
 \$500.00
 To His Hot Down
 (Endorsed) James Campbell

Witherby's Statement
 Heard with Mr & Mrs Hogan--Hogan went to the mine.
 asked me to take charge of the house until he ret--and the
 "The statements of Witherby were exceedingly reliable in their
 lying "savage" with Stuart, the members of Hogan and the members
 of Charles Hogan. In spite of the fact that the names of the
 notations Hogan's names are given to take notice of the
 portion of the Committee of Vigilance of 1851, but it is possible that he
 was the same Joseph Witherby, of San Francisco, who killed Dr. John
 Baldwin, August, 1855, and who was hung by the Vigilance Committee
 of 1856 for shooting Dr. Andrew Smith. The late Witherby, July 21,

[July 8, 1851]

prisoner Stevens at the House, for the first time, a few days before the Jansen affair & several times after, Mr^s Hogan told me his name was Jim Stewart or English Jim—His constant companions were [Belcher Kay] Jim Briggs & Whitaker all of whom used to hang 'round the House. Whitaker rem^d there ever since until the 30th June or 1st day of July when Mr Hogan returned. Whitaker then left—I believe Whitaker to be the smartest thief of the whole gang he is 5. f. 6 or 7 in high—round built & when stripped is rather round shouldered, rather good looking would say he is rather inclined to a fair complexion

hair the same color as that of Mr Spence to the best of my knowledge, but should recognize him.—always dresses neatly—since a row occurred at the House of Mr. Hogan three weeks after the Jansen affair I understand [Belcher Kay] and he had a falling out and since then I have not seen them together

Have not seen Jim Briggs for six weeks

When Whitaker first came to the House my Partner Mr. Davis & my self and a young man named Jackson, a printer, refused to eat at the same table with any of the company then in the House—Mr^s Hogan took me one day into the dining room & asked me why I was so shy with Whitaker. I replied that Mr Hogan had pointed him out to me as being one of the greatest thieves in Town & pointed out to me the House on Jackson Street where Whittaker resided, along with a man named Teddy—the House was at the corner of an alley leading from Gold Street into Jackson St^h above Sansome St^h—She then stated that Whitaker had been a Gov^{mt} Man or convict in the penal colonies. that he had been assigned to Mr Hogan, that he had served them

'56, spoke of that murderer as "a recipient of the old Vigilance Committee's attention," and Bancroft says: "He was the associate of Whittaker and McKenzie of '51 vigilance notoriety, and in their company committed many crimes, but . . . escaped unpunished" (*Popular Tribunals*, II, 489). The error of confusing him with James Hetherington, banished, has already been noted (note 2, p. 27), and no other men of the same name are mentioned in the records. Hetherington's first statement was handed in by Spence on July 7, but the endorsement shows that it was filed with the documents of the 8th, and in the newspapers it was always printed to follow Stuart's confession, and was accompanied by the second statement, which was made in person on the 10th (p. 255). The names enclosed in brackets have been crossed out in the manuscript, and they were omitted from the first publication, July 11 and 12, but were supplied when the evidence was reprinted, in full, July 18.

[July 8, 1851]

faithfully seven years as a Butcher and that they had always found him an honest man—since then she has told me another story—that he was never assigned to Mr Hogan and that Mr Hogan never knew him until he met him here— Until the fire of 4th May Mr Hogan's house was next to Cross [&] Hobsons on Sansome Street—Mr Hogan then removed to the corner of Dupont & Green Streets where they Mr and Mrs Hogan now live.

Whitaker went to live at the house of Mr Hogan during his absence and Mr Hogan was very much enraged at finding him at his house on his return and immediately ordered her to send him off. He left next morning— I think he went to Marysville—Yet I saw the name of a person A. M. Whitaker, as a passenger who left here on the *Isthmus* for Panama on the 1st Inst

his name was Sam Whitaker

Sam Whitaker told me in regard to the Jansen case, that Berdue & Wildred were both innocent. I expressed my serious doubts, he said, Hetherington, long Jim if ever he is taken will tell the truth, the man Stevens is long Jim—to satisfy you I will tell you all about it. Long Jim struck the blow, the man who was shot in the act of robbing a House at Sacramento City was the man who entered Jansen's first, there were seven men concerned in the robbery of Jansen—they divided the money in this parlor, after paying for drink, there was \$246 to each of them. this information was given to me while the Hogans lived on Sansome Street—That there was a Gold Watch of which nothing was ever said about, which I threw into the bay from this back door,

Two men have recently endeavored to get Whitaker to join them in robbing the El Dorado & the present Custom House⁴³—

⁴³ The San Francisco Custom House, at this time, contained about \$1,250,000 of public funds, and the safeguarding of this treasure was a matter of deep concern to T. B. King, Collector of the Port. Soon after he assumed his duties, in January, 1851, he constructed a vault beneath the building then occupied, at Montgomery and California Streets, and this, fortunately, withstood the fire of May 4th, which destroyed the superstructure. King hastened to build a new vault, under a building located at the northwest corner of Washington and Kearny Streets, and he caused great amusement by the elaborate escort he employed when, on May 28, the funds were transferred under protection of an armed guard (Soulé, *Annals of San Francisco*, 334). In a letter written to William C. Dawson and published in pamphlet form by Holman and Gray, New York,

[July 8, 1851]

the name of one of the men was [Earl a Scotchman—I know Earl, he is a stout man & think he is a member of the Vigilance Committee⁴⁴] was often with Whitaker. Whitaker was afraid to trust them, otherwise would have joined them—[Earl] suggested the robbery of the El dorado and Jack Arrentrue⁴⁵ that of the Custom House. [Earl and Arrentrue] are very intimate—[Arrentrue] is constantly going in and out of the prison—

When Hogan gets his business settled up which was the only reason for my staying at his House until he returned—I will give you much more serious information on some other points—involving pretty much the same parties—

July 7th 1851

[Signed] Joseph Hetherington

[Endorsed:] Evidence of Hetherington American

Filed July 8th 1851Attest S Payran Presd^t

WEDNESDAY, JULY 9, 1851

MINUTES

Minutes July 9th 1851

At a meeting of the Executive Committee held this 9th day of July 1851 Present James Ward Brindley Bromley

1855, King alluded to this incident and maintained that his precautions were fully justified by the disclosures subsequently made before the Committee of Vigilance. The *Pacific Star*, July 31, 1851, printed a diagram illustrating the scheme of proposed robbery, which was to lease the Verandah Hotel, on the northeast corner, and tunnel under the street, not only to the Custom House, but also to the El Dorado Saloon, on the southeast corner, and when the theft was accomplished to block up the passage to the Verandah, leaving the one to the El Dorado open, in order to divert suspicion in that direction. (See also p. 473.)

⁴⁴ David Earle, already under suspicion (p. 90), was expelled from the Committee the next day.

⁴⁵ John J. Arentrue was arrested by the Committee a few days later, and while still in custody, he was indicted by the grand jury for unlawfully aiding William Watkins to escape from prison in San Francisco, and also for conspiring with several others, on the second of February, in an attempt to murder an unidentified man in the mining regions. The Committee voted to deliver him to the courts, where he was duly tried, but the former charge was quashed on a technicality, and the latter case was dismissed on account of the absence of the only important witness. *S. F. Herald*, Law Intelligence, August 5, 8, 14, September 23.

the name of one of the men was [Earl a Scotchman—I know Earl, he is a stout man & think he is a member of the Vigilance Committee*] was often with Whitaker. Whitaker was afraid to trust them, otherwise would have joined them—[Earl] suggested the robbery of the El Dorado and Jack Armstrong* that of the Custom House. [Earl and Armstrong] are very intimate—[Armstrong] is constantly going in and out of the prison—

When Hogan gets his business settled up which was the only reason for my staying at his House until he returned—I will give you much more serious information on some other points—involving pretty much the same parties—

July 7th 1851

[Signed] Joseph Hetherington
[Endorsed:] Evidence of Hetherington American

Filed July 20 1851

Attest S. P. Mason, Clerk

Wednesday, July 8, 1851

MINUTES

Minutes July 8th 1851

At a meeting of the Executive Committee held this 8th day of July 1851 Present James Ward Brinkley Bromley

1851, King, offered to this incident and maintained that his presence were fully justified by the circumstances independently made before the Committee of Vigilance. The Board then July 21, 1851, printed a diagram illustrating the scheme of proposed robbery, which was to occur at the Yosemite Hotel, on the northern corner, and toward under the street, not only in the Custom House, but also in the El Dorado Hotel, on the southeast corner, and when the work was accomplished to break up the message to the Yosemite, leaving the use to the El Dorado open, in order to direct suspicion in that direction. (See also p. 417.)

* David Earle, already under suspicion (p. 367), was expelled from the Committee the next day.

* John L. Armstrong was arrested by the Committee a few days later, and while still in custody he was induced by the grand jury for another fully signed William Watkins to secure from prison in San Francisco, and also for cooperation with several others, on the second of February, in an attempt to murder an unidentified man in the mining region. The Committee voted to believe him in the county, where he was kept, but the former charge was dropped on a technicality, and the latter was dismissed on account of the absence of the only important witness. S. F. Herald, San Francisco, August 4 & 5, 1851, September 12.

[July 9, 1851]

Ellis Garwood Bluxome Curtis Schenck Coleman
Payran Graham Ryckman

Meeting being called to order and minutes read, the Committee proceeded to business—

Ordered that evidence vs Stuart and his Confession be read to the General Committee—Also that the statement of Hetherington be read—

Order for arrest for Mrs. Hogan and others implicated be issued order issued

In the matter of Dalgren, the Evidence of Tennant taken, Order that Mr Dalgren have his property in charge of Committee and be honorably discharged

William C Graham elected Member of the Executive Committee in lieu of S. Brannan resigned

G. W. Ryckman elected member of the Executive Committee in lieu of R. S. Watson resigned, the members elect were duly installed

No other business being before the Committee adjourned to meet at 10. O'clock A M of the 10th July Adjourned

Col Graham elected Sect^y in place of C. H. Brindley Esquire resigned

[Signed] Stephen Payran

Presd^t of Ex Co

“

W^m C. Graham Sect^y

Minutes of General Meeting July 9. 1851

Mr Selim Woodworth in the Chair

Report of Committee—Appointed to wait on the Cap't of Brig *Cameo*—to ascertain at what time he would sail and if he could take any prisoners we might have—

On motion of Mr Brannan

Resolved—That the Committee appointed to waite upon the Capt of Brig *Cameo*—request the Capt to point out one John Smith a convict from Sydney—

On motion of Mr Jones

Resolved—That the resignation of Mr Brannan of the Chair be accepted And also that he be excused from serving longer as a member of the Ex Committee¹—

¹ See note 8, p. 181.

longer as a member of the Executive Committee—
Chair be occupied. And also that he be seated from seating
Resolved—That the resignation of Mr. Johnson of the
On motion of Mr. Johnson
John Smith a counter from Sydney—
the Capt of Early Cannon—opposed the Capt to point out one
Resolved—That the Committee appointed to write upon
On motion of Mr. Johnson
could take any persons we might have—
Eric Cannon to ascertain at what time he would sail and if he
Report of Committee—Appointed to wait on the Capt of
Mr. Solon W. Woodbury in the Chair
Minutes of General Meeting July 2, 1871
Wm C. Graham Secy
Pres of Ex Co
[Signed] Stephen Fayest
Col Graham elected Secy in place of C. H. Birdseye Resigned
to meet at 10 O'clock A. M. of the 10th July Adjourned
No other business being before the Committee adjourned
installed
in lieu of R. S. Watson resigned, the members elect were duly
G. W. Ryckman elected member of the Executive Committee
mittee in lieu of R. H. Johnson resigned
William C. Graham elected member of the Executive Com-
tee and he honorably discharged
Ordered that Mr. Delgren have his property in charge of Commis-
In the matter of Delgren, the Evidence of Tammam taken.
issued order issued
Order for arrest for Mrs. Hogan and others implicated be-
ington be read—
to the General Committee—Also that the statement of Hether-
Ordered that evidence vs Stuart and his Confession be read
mitter proceeded in business—
Meeting being called to order and minutes read, the Com-
Payson Graham Ryckman
Ellis Garwood Bismarck Curtis Richard Coleman
[July 2, 1871]
246 ACADEMY OF PACIFIC COAST HISTORY

July 9. 1857 1

Minutes of Genl Meeting July 9. 1857

Mr Selim Woodworth in the Chair

Report of Committee - Appointed to wait
on the Capt of Brig Comes - to ascertain at
what time he would sail and if he could take
any prisoners we might have -

On motion of Mr Brannan

Resolved - That the Committee appointed to wait
upon the Capt of Brig Comes - request
the Capt to point out one John Smith
a convict from Sydney -

On motion of Mr Jones

Resolved - That the resignation of Mr Brannan
of the Chair be accepted
And also that he be excused from serving
longer as a member of the Ex Committee -

Report of Ex Committee in case ^{of Jim Stuart} be ac-
-cepted -

On motion Adjourned
Isaac Bluxome Jr

On motion

Resolved That no member of this Committee shall
speak of any business that shall come before this
meeting and any member who shall speak 12 times
and be expelled from this committee

July 9, 1862

Chairman of the Board, July 9, 1862

The Board of Directors in the Board

Report of the Committee - Appointed to look
into the affairs of the Board - is submitted
and it is the duty of the Board to consider
and determine the same as they see fit.

The Board of Directors of the Board
has the honor to acknowledge the receipt of
your letter of the 7th inst. and in reply to
inform you that the same has been forwarded
to the proper authorities for their consideration.

The Board of Directors of the Board
has the honor to acknowledge the receipt of
your letter of the 7th inst. and in reply to
inform you that the same has been forwarded
to the proper authorities for their consideration.

Report of the Committee in 1862, to the

The Board of Directors of the Board

First - The Board of Directors of the Board
has the honor to acknowledge the receipt of
your letter of the 7th inst. and in reply to
inform you that the same has been forwarded
to the proper authorities for their consideration.

Very respectfully,
In the presence of the Board of Directors

[July 9, 1851]

On motion

Resolved That a vote of thanks be tendered to Sam^l Brannan Esq for his attention to the business of the Ex Committee and also as President of the General Committee

On motion of Mr Haven

Resolved That Mr Selim E Woodworth be appointed President of General Committee for balance of the month—

On motion

Resolved That a Recording Secretary be appointed
Mr [. . .] Atkinson was appointed by the Chair

On motion

Resolved That a book be kept for the Minutes of General Meeting²—

On motion Mr Brannan

Resolved That the vacanceys in the Ex Committee be filled at this Meeting—The following Gent were appointed Major W C Graham—G W Rikeman

On motion

Resolved That a committee be appointed to have blanks prepared for subscriptions to raise money for the completion of County Prison The following Gent were appointed R D W Davis & Charles Bond³—

On motion

Resolved The the following Gent be expelled from this Committee—David Earle W F Mc Lean—

On motion

Resolved That Mr Randalls excuse for introducing Mr Mc Lean be accepted

Report of Ex Committee in case of Jim Stuart be accepted

On motion adjourned

[Signed] Isaac Bluxome Jr

² The archives contain no minute book of the General Committee.

³ About forty collection sheets have been preserved in the files of the Committee, and they record more than three hundred signatures. The form of heading was as follows:

PROPOSED PLAN FOR COMPLETING THE COUNTY JAIL

We, the Subscribers, Citizens of San Francisco, hereby agree to pay to the "Committee of Vigilance," of said city, the sum of THREE DOLLARS each, to be appropriated by said Committee, and disbursed under their direct supervision, for the purpose of completing the County Jail.

On motion
Resolved That a vote of thanks be tendered to Saml. Fran-
gan Esq for his attention to the business of the Ex Committee
and also as President of the General Committee
On motion of Mr. Haven
Resolved That Mr. Selim E. Woodworth be appointed Presi-
dent of General Committee for balance of the month—
On motion
Resolved That a Recording Secretary be appointed
Mr. J. . . . Atkinson was appointed by the Chair
On motion
Resolved That a book be kept for the Minutes of General
Meeting—
On motion Mr. Hixman
Resolved That the vacancies in the Ex Committee be filled
at this Meeting—The following Gent were appointed Major
W. C. Graham—G. W. Hixman
On motion
Resolved That a committee be appointed to have blanks
prepared for subscriptions to raise money for the completion of
County Prison The following Gent were appointed. E. H. W.
Davis & Charles Bond—
On motion
Resolved The the following Gent be expelled from this
Committee—David Bonds W. P. M. Loan—
On motion
Resolved That Mr. Randolph receive for introducing Mr.
M. Loan be accepted
Report of Ex Committee in case of Jim Stuart be accepted.
On motion adjourned
[Signed] James Hixman Jr.
The archives contain no minute book of the General Committee
About forty resolutions have been passed in the life of the
Committee and they would more than have filled volumes. The
form of meeting was as follows:
Resolved That the committee now present take
We, the Subscribers, Citizens of San Francisco, do hereby agree to pay
to the "Committee of Vigilance," of said city, the sum of three hundred
dollars, to be appropriated by said Committee, and divided among itself
and the other subscribers, for the purpose of completing the County Jail.

[July 9, 1851]

On motion

Resolved That no member of this Committee shall speak of any business that shall come before this meeting and any member who does shall receive 12 lashes and be expelled from this Committee

MISCELLANEOUS PAPERS

[*Complaint of C. H. West*⁴]

To the Executive Committee of the Vigilant Committee

Gentlemen, Capt Upton was informed of all the proceedings of the Committee last evening by one Captain Patterson a member, Capt Upton also informed me some fortnight since, that this same Capt Patterson & a Mr MacPherson were well acquainted with all the Sydney thieves in our midst. Messrs Sage & Smith, in whose the office I heard it, stated the same thing. I am myself unacquainted with either Capt Patterson or Mr MacPherson, never saw them to know them, and do not even know if their names are on the list of members.⁵ At the time I heard the first statement, I spoke of it to Mr Brannan & gave him the names & necessary references, as he was on the eve of leaving town, he probably forgot to mention it,

Capt Upton (who is a gentleman of respectability) informed me that Capt Patterson commanded a steamer for many years between Launceston and Hobart Town & therefore knew many of the Sydneyites in this country, and stated as his opinion that his presence at the meetings of the Committee would destroy the utility of that body, by making known to the Sydneyites, if they were suspected,

All of which is respectfully submitted in haste by

No 325 [C. H. West]

*Backus's Statement in relation to Adams the Burglar.*July 9th 1851

G. A. Backus—Statement—from my knowledge of the Burglar Adams, caused him to be arrested the said Adams 5 ft 8.

⁴ This communication is undated, but it is printed in this place on account of the final resolution passed by the General Meeting, July 9, which indicated that the members of the Committee suspected that the rule of secrecy was being disregarded.

⁵ A. W. Macpherson, V. C. No. 36. Captain Patterson's name does not appear on the roll of members.

[July 9, 1887]

On motion

Resolved That no member of this Committee shall speak of any business that shall come before this meeting and any member who does shall receive 12 lashes and be expelled from this Committee

HONORABLES LASHES

[Compliment of C. W. West]

To the Executive Committee of the Vigilance Committee
Gentlemen, Capt Upton was informed of all the proceedings of the Committee last meeting by one Captain Patterson a member. Capt Upton also informed me some fortnight since that this same Capt Patterson & a Mr. Macpherson were well acquainted with all the Sydney thieves in our midst. Messrs Sage & Smith, in whose office I heard it stated the same thing. I am myself unacquainted with either Capt Patterson or Mr. Macpherson, never saw them to know them and do not even know if their names are on the list of members. At the time I heard the first statement I spoke of it to Mr. Williams & gave him the names & necessary references as he was on the eve of leaving town, he promptly forgot to mention it.

Capt Upton (who is a gentleman of respectability) informed me that Capt Patterson commanded a steamer for many years between Linneston and Robert Town & therefore knew many of the Sydney thieves in this country, and stated as his opinion that his presence at the meetings of the Committee would destroy the utility of that body, by making known to the Sydney thieves if they were suspected.

All of which is respectfully submitted in haste &c
No 325 [C. W. West]

Backer's statement in relation to Abner the fugitive.

July 2nd 1887

G. A. Backer—Statement—from my knowledge of the facts
Mr Adams caused him to be arrested the said Adams & I &

*This communication is notated, but it is related in this place on account of the fact mentioned by the present meeting, July 2nd, which indicated that the members of the Committee suspected that the rule of secrecy was being disregarded.
*A. W. Macpherson, J. C. & Co. 38. Captain Patterson's name does not appear on the roll of members.

[July 9, 1851]

in pocked marked knew him when he boarded in Social hall. Jackson Street. I saw him this morning about 1½ past 10 o'clk and invited him to take a seat informed him I probably had a good job for him. asked me what it was? told him it was assorting nuts he enquired where was the place informed him in Montgomery street. he asked me the wages, and said he was not fit for labor as he was in prison so long on low diet he was weak. I asked him what he was imprisoned for, he told me for the loss of some \$7,000—from a cooper shop and he abused the judge upon the bench and he supposed that the penalty of imprisonment was for the contempt of court, and replied they had not got more than one half of money.

I enquired of him if he had disposed of the remainder, he replied that he had not been to work for many weeks and that he had fared well, I asked if he could loan a small sum, he said he could and would make an appointment to meet me at the place we were then sitting the next day in the conversation about the nuts, he asked me what kind of house it was, whether rich or not, and I stated to him that he might make a more profitable speculation. he then gave me a wink & slapt me on the knee. he asked whether I would come and see him daily and help take a survey of the business

I told him I would. he then told me we would make a good speculation.

Mr Backus states the criminal conversation wherein he is named was done as a ruse to bring about a confession—that the ends of justice might be served

[Signed] G. A. Backus

Wednesday July 9th 1851

[Annotated:] Ask him if he has been called Jackson

No 1) Copy Mary Windred's a/c against Tho^s Burdew. San Francisco May 6th 1851^s

San Francisco May 6, 1851

Thomas Burdew

To Mrs. Mary Windred
lent money to Mr. Walton

\$—

400—

^s See p. 184.

lent money to Mr. Watson
To Mrs. Mary W. Watson

Thomas Barker

San Francisco May 4, 1851

Received May 10, 1851

No 1) Copy Mary W. Barker's account of the murder of

[Annals] Ask him if he has been called Jackson

Wednesday July 10, 1851

(Signed) G. A. Barker

ends of justice might be served

named was done as a man to bring about a confession—that the

Mr. Barker states the criminal conversation wherein he is

speculation.

I told him I would. He then told me we would make a good

survey of the business.

asked whether I would come and see him daily and help take a

speculation. He then gave me a week's sleep on the town. In

or not, and I stated to him that he might make a more profitable

the milk, he asked me what kind of house it was, whether rich

we were then sitting the next day. In the conversation about

he could and would make an appointment to meet me at the place

he had laid well. I asked if he could loan a small sum, he said

replied that he had not been to work for many weeks and that

I enquired of him if he had disposed of the remainder, he

had not got more than one half of money.

imprisonment was for the contempt of court, and replied they

the judge upon the bench and he supposed that the penalty of

for the loss of some \$7,000—from a copper-shop and he shared

was weak. I asked him what he was imprisoned for, he told me

not fit for labor as he was in prison so long on law that he

in Montgomery street. He asked me the wages, and said he was

sorting milk, he enquired where was the place, informed him

good job for him. Asked me what it was, told him it was as-

and invited him to take a seat. Informed him I probably had a

Jackson Street. I saw him this morning about 10 o'clock

in pocket marked. knew him when he boarded in Social Hall.

[July 2, 1851]

San Francisco Committee of Vigilance of 1851 249

[July 9, 1851]

lent money to Witness

100—

Board & Washing

125.

Mr. Mc Allister

625

have the kindness to see that Mr. Benham pays the money due to me to Mr. Goff and you will oblige your obedient servant

Mary Windred

I hereby certify that I have seen the original, and the above is a correct copy

[Signed] W. C. Meredith⁷San Francisco Jul 9th 1851

No 2) Copy M Windred to Goff. San Francisco May 6 1851
San Francisco May 6—

Mr Goff

Should poor Tom ever be permitted to return to San Francisco tell him that I never got any of his money—

Mr. McAllister & Benham⁸ still holds it, that I assure him is the case—Tell him that I paid Mr Walton 400 dollars and other expenses.

I can scarcely recollect, however I trust he will soon be down and settle his own affairs—

and by doing so you will oblige your.

M. Windred

For T. Burdew.

I hereby certify that I have seen the original and the above is a correct copy

[Signed] W. C. Meredith

San Francisco July 9th 1851

No 3) Copy M Windred to Goff. San Francisco May 6th 1851
San Francisco May 6. 1851

Mr Goff—

I hope you will not think it strange of me in not coming down to see you before I start—But I have only half an hour to get

⁷ William C. Meredith or Meridith was the captain of police who proposed an incendiary toast relating to San Francisco (p. 351).

⁸ Calhoun Benham, U. S. district attorney. *Parker's Directory*, 1852.

[July 9, 1851]

lent money to Witness
Board & Witness

100—
125

Mr. M. Allister

have the kindness to see that Mr. Boardman pays the money due
to me to Mr. Goff and you will oblige your obedient servant
Henry Winford

I hereby certify that I have seen the original and the above
is a correct copy

[Signed] W. C. Meredith

San Francisco July 9th 1851

No 3) Copy M. Winford to Goff San Francisco May 6 1851
San Francisco May 6—

Mr Goff

Should your favor ever be permitted to return to San Fran-
cisco tell him that I never got any of his money—

Mr. M. Allister & Boardman still holds it that I assume him is
the case—Tell him that I paid Mr. Watson \$50 dollars and other
expenses

I can scarcely read, however I trust he will see he does
and settle his own affairs—

and by doing so you will oblige yours

Mr. Winford

For T. Burdett

I hereby certify that I have seen the original and the above
is a correct copy

[Signed] W. C. Meredith

San Francisco July 9th 1851

No 3) Copy M. Winford to Goff San Francisco May 6 1851
San Francisco May 6 1851

Mr Goff—

I hope you will not think it strange of me in not sending down
to see you before I start—But I have only half an hour to get

William C. Meredith & Meredith was the subject of notice who pre-
pared an inventory book relating to San Francisco (p. 351)

*Charles Jackson, E. & district attorney, Foster's Dictionary, 1852

[July 9, 1851]

ready⁹—so the time is short and you know how I am situated, so that you will not be angry—I shall see you in our own country I hope—hope soon, I trust—Mrs Goff will get over her trouble soon and be sure to come back to our own welcome home—I would tell you more only time is short, should they never let Poor Burdew come in to this town—should they murder him for another mans crimes—I enclose the following bill—to be presented to Mr. McAllister and you will oblige.

M Windred

Should Tom come down let him do as he likes only I would not like to see them rob his wife or me either, for Tom knows I Borrow 500 dollars from t[w]o Parties and they will look to be paid some day or other—the 500 was on Tom's account so I am responsible for the sum and would like to pay it—

I hereby certify that I have seen the original and the above is a correct copy

[Signed] W. C. Meredith

San Francisco July 9th 1851*Capt White. Statement in relation to Smith*

San Francisco July 9/51

Mrs Smith and daughter lives Convenient to the Baptist Chapel in the same Street. the Man Smith wears a drab California Hat and an old fashion surstout Blue over Coat, fine Corded trousers long matted red hair & whiskers generally some indication of a Collission in the face about 5. 6 in High and is often on long wharf Mr^s Smiths daughter now about 14 year old is the daughter of one Armstrong, the little girl is the daughter of the said Smith who is a runaway transport and who Married or Joined Company with Mr^s Smith on her passage here, on board the Brig *Cammeo*, is said to have kept a Bad House of ill fame in Sydney. this man Smith Connected with Mrs Smith in Sydney and kept a bad House. He, the said Smith is a thief. Broke into the Hole of the *Cammeo* on her passage here and Broached a Cask of Lemmon Syrup, and Embezeled Cargo for which he was discharged by our authorities on his own Cognizance

⁹ The details of Windred's escape were related by Whittaker, p. 479.

[July 8, 1851]

ready—so the time is short and you know how I am situated, so that you will not be angry—I shall see you in our own country I hope—hope soon, I trust—Mrs. Godd will get over her trouble soon and be sure to come back to our own welcome home—I would tell you more only time is short, should they never let Poor Bartow come in to this town—should they murder him for another man's crimes—I enclose the following bill—to be presented to Mr. McAlister and you will oblige.

M. Winfield

Should Tom come down let him be as he likes only I would not like to see them rob his wife or me either, for Tom knows I borrow 500 dollars from (w) o Parties and they will look to be paid some day or other—the 500 was on Tom's account so I am responsible for the sum and would like to pay it—

I heretofore certify that I have seen the original and the above is a correct copy

(Signed) W. C. Meredith

San Francisco July 9th 1851

Capt. White. Statement in relation to Smith

San Francisco July 9th 1851

Mrs. Smith and daughter live in the Bohemian Chapel in the same street. The Mrs. Smith wears a dark Col. form hat and an old fashioned sunbonnet like our own. Corset trousers long matted red hair & whiskers generally some indication of a Collocation in the face about 5.5 to 14 year old is the daughter of one Armstrong, the little girl is the daughter of the said Smith who is a temporary transient and who married or joined company with Mr. Smith on her passage here, on board the ship (name) is said to have kept a bad house of ill fame in Sydney. This man Smith Connected with Mrs. Smith in Sydney and kept a bad house. He, the said Smith is a thief. Thinks into the hole of the furnace on her passage here and introduced a Case of human spray, and introduced Cargo for which he was discharged by our authorities on his own Cognizance

*The details of Winfield's escape were related by Winfield, p. 425

Letter from Mr Mc Cahill

Sacramento City July 9th /51

To the President of the Ex. Committee

D Sir These few lines will introduce to your Committee Mr L Styvers who is to give evidence against Steward I was informed by Mr Styvers that he never received a letter requesting him to come down

Yours Truly

[Signed] T. Mc Cahill

[Endorsed:] T Mc Cahill Sacramento City 9th July 1851

Introduction of L Styvers

THURSDAY, JULY 10, 1851

MINUTES

Minutes July 10th 1851

At a meeting of the Executive Committee held this day 10th July 1851. Present Payran, Ryekman, Garwood, Curtis Bromley & Graham—

Meeting being called to order and minutes read the Committee proceeded to business.

Ordered that the Committee now proceed to the examination of H. Taft for the robbery of two thousand dollars gold dust one Fifty piece & two twenty dollars ps Baldwins coin—

Benjⁿ Jenkins examined testified to the identity of the man Taft, as per Testimony—

H. Taft was then examined by the Chairman of the Committee whereupon the said Taft fully confessed the crime— Confession filed

Further examination H Taft confessed having dropped a bag of dust in the privy at the hotel in which he was taken— Mr Jenkins was dispatched in search of the same & further consideration deferred—

Ordered that the Committee now proceed to the examination of Mary Hogan—which Testimony having been gone through with—

The Committee took a recess until 2 OClock—

[Signed] W^m C Graham Secty

Letter from Mr. M. Cahill
Sacramento City July 9th 51

To the President of the Ex. Committee
D Sir These few lines will introduce to your Committee
Mr. L. Syvers who is to give evidence against Steward. I was
informed by Mr. Syvers that he never received a letter request-
ing him to come down. Yours Truly

[Signed] T. M. Cahill
[Endorsed:] T. M. Cahill Sacramento City 9th July 1851
Introduction of L. Syvers

THURSDAY, JULY 10, 1851

MINUTES

Minutes July 10th 1851

At a meeting of the Executive Committee held this day 10th
July 1851. Present: Payson, Ryckman, Garwood, Cook,
Bromley & Graham—

Meeting being called to order and minutes read the Council
then proceeded to business.

Ordered that the Committee now proceed to the examination
of H. Tall for the robbery of two thousand dollars gold dust
one Fifty pieces & two twenty dollars per dollar coin—

Henry Jackson examined testified to the identity of the man
as Tall, as per Testimony—

H. Tall was then examined by the Chairman of the Council
as to whether the said Tall fully witnessed the crime— Con-
fession filed

Further examination— H. Tall confessed having dropped a
bag of dust in the prison at the hotel in which he was taken—
Mr. Jackson was dispatched in search of the same & further con-
sideration deferred—

Ordered that the Committee now proceed to the examination
of Mary Hagan— which Testimony having been given through
with—

The Committee took a recess until 2 O'clock—
[Signed] W. C. Graham Secy

[July 10, 1851]

The Committee met agreeable to adjournment at 2 O'Clock P M.
July 10th 1851. Present Payran Ryckman Bromley
Spence

The meeting being called to order proceeded to business—
on motion the further evidence of Mr^s Hogan was dispensed
with until after the examination of her husband—

Mr G H Howard was appointed Special Marcher for the purpose of proceeding to Sonora to endeavour to arrest Sam^l Whittaker and all others implicated with him that they may find¹—

Haven was instructed to detail a guard to proceed to Sac City for the purpose of arresting Belcher Kay²—

Michel Hogans testimony having been gone through with were ordered to be placed on file

Hethrington testimony having been gone through, Mr^s Hogan was again called before the Committee & her further testimony taken from which nothing further was obtained—

Adjourned

[Signed] W^m C Graham.

Sect^y

Minutes of General Meeting July 10. 1851

Mr Selim Woodworth in the Chair

Report of Ex Committee in case of Hamilton Taff read—
with evidence— accepted

Report of Ex Committee in the case of Thomas Desmond—
accepted—prisoner discharged

Report of Ex Committee in Case of Theodore Dalgren read—
Ordered that Dalgrens goods be returned to him—and that he be honorably discharged—

Report of Ex Committee in the case of Jim Stuart alias W^m Stephens—read together with new evidence—

Messrs Bond and Dana—Committee appointed to procure headings for subscriptions to County Goal—report the same will be ready to morrow at 12 M

On motion

Resolved That the excuse of Mr Macy—for introducing Mr David Earle to this Committee be accepted—

¹ See voucher No. 12, p. 773.

² See voucher No. 7, p. 772.

1 See voucher No. 15, p. 173.
2 See voucher No. 2, p. 173.

Mr David Farris to this Committee be accepted—
Resolved That the excuse of Mr May—for introducing

On motion

be ready to-morrow at 12 M

hearings for subscriptions to County Jail—report the same will

Members Reed and Lane—Committee appointed to prepare

Stephens—read together with new evidence—

Report of Ex Committee in the case of Jim Brown alias Wm

be he honorably discharged—

Ordered that Dalrymple goods be returned to him—and that

Report of Ex Committee in Case of Theodore Dalrymple read—

accepted—prisoner discharged

Report of Ex Committee in the case of Thomas Desmond—

with evidence— accepted

Report of Ex Committee in case of Hamilton Tarr read—

Mr Selim Woodworth in the Chair

Minutes of General Meeting July 10, 1851

Secy

(Signed) Wm C Graham

Adjourned

taken from which nothing further was obtained—

was again called before the Committee & her further testimony

Hethington testimony having been gone through, Mr Hogan

were ordered to be placed on file

Michel Hogan's testimony having been gone through with

City for the purpose of arresting Belcher Ray—

Haven was instructed to detail a guard to proceed to San

like and all others implicated with him that they may find—

pose of proceeding to Sonoma to endeavor to arrest Sam' White

Mr G H Howard was appointed Special Marshal for the pur-

with until after the examination of Mr Hogan was dispensed

The meeting being called to order proceeded to business—

Spence

July 10th 1851. Present Payson Ryckman Bromley

The Committee met agreeable to adjournment at 2 O'Clock P M.

[July 10, 1851]

SAN FRANCISCO COMMITTEE OF VIGILANCE OF 1851 233

[July 10, 1851]

On motion Mr Woodworth.

Resolved—That if there any persons now in this Committee who know how the publication of the Confession of Stewart came to be printed in the *Evening Pic* he shall go to the Ex Com and report to them—

On motion—

Resolved—That a vote of thanks be tendered to the Committee who have had the prisoner Stewart in charge for the last 24 hours³

On motion

Resolved That the Eds of the *Evening Pic* are excused from any blame in the publication of the Confession of Stewart—

As there are some among us who are in the habit of talking in the streets—Therefore

Resolved That this meeting be polled in order that it may be known who we have among us—

[Signed] I Bluxome Jr

Secretary

[Annotated:] Accepted

MISCELLANEOUS PAPERS

[Statement of David Howe in relation to Taft⁴]

David Howe— Have known the Prisoner Taft for three or four months—have been neighbors during this time—from my acquaintance with him previous to the robbery, always considered him to be a good man— The money stolen was in a little tin trunk that I brought across the Plains with me and had a lock and key—to the best of my knowledge the money missing is not \$50 either way from \$2300.—saw this amount deposited in the trunk, and know that it was this amount from actual weight—the dust was tied up in 7 bags, some portion in little tin

³ See note 1, p. 214.

⁴ Taft had committed a robbery in the mining regions near Auburn, and was recognized in San Francisco, a few days afterwards, and arrested by the Committee. When some of the missing coin was found upon him, he thought it best to confess the crime and thus enable the owner to recover the remainder (*S. F. Herald*, July 11). He was returned to the authorities of Placer County, for trial, and his guards gave a formal bond for his safe delivery (p. 288).

[July 10, 1881]

On motion Mr Woodworth

Resolved—That if there are any persons now in this Committee who know how the publication of the Confession of Stewart came to be printed in the Evening Post he shall go to the Post and report to them—

On motion—

Resolved—That a vote of thanks be tendered to the Committee who have had the prisoner Stewart in charge for the last

24 hours.

On motion

Resolved That the Editor of the Evening Post be examined from any blame in the publication of the Confession of Stewart—As there are some among us who are in the habit of talking

in the streets—Therefore

Resolved That this meeting be called in order that it may be known who we have among us—

[Signed] I Blumens Jr

Secretary

[Announced:] Accepted

MINUTIAE

[Statement of David Howe in relation to Tait]

David Howe— I have known the Prisoner Tait for three or four months—have been neighbors during this time—from my acquaintance with him previous to the robbery, always considered him to be a good man— The money stolen was in a little tin trunk that I brought across the Plains with me and had a look and key—to the best of my knowledge the money mentioned is not \$50 either way from \$2000—now this amount deposited in the trunk and know that it was the amount found actual weight—the chest was tied up in 7 bags some portion in little tin

* See note I, p. 324

* Tait had committed a robbery in the mining region near Ashcroft and was recognized in San Francisco, a few days afterwards and arrested by the Committee. When one of the officers came forward upon him he thought it best to confess the crime and thus enable the money to be recovered the prisoner (A. F. Woodard, June 17). He was delivered to the authorities at Police Court, for trial, and his guards gave a formal band for his safe delivery (p. 325).

[July 10, 1851]

boxes, and some coin tied up in a rag—the bags were not marked.—usually carried the trunk with us during the day while at work, and at night put it under the pillow—was living in a tent at the time—was taken from me during the night—the night of the theft the trunk was on the ground near the head of my bed—suppose that the prisoner must have cut a cord of the tent. lifted it up, and took it away—Taft was in the habit of visiting our tent almost every evening—

[Signed] David Howe

*Mr Hetheringtons further Evidence touching Stuart*Executive Chamber July 10th 1851

In the Matter of Information relating to crimes touching English Jim and others.

They summoned one Hetherington and Hogan to appear and testify the latter appeared and was examined but nothing of importance elicited Hetherington did not appear but promised (so reported) to appear tonight at 7 O'clock P M

[Signed] Stephen Payran

Presdt of E. C.

Attest W^m C Graham,Sect^y

Mr Hetherington since appeared and was examined and his examination is hereunto annexed

[Signed] S Payran

Presdt of E C

Joseph Herrington examined—

[Do you know Belcher Kay, Arrentrue Do you know Jim Briggs & Davis Earle I know Belcher Kay⁵]

I knew Jim Briggs and Sam Whittaker and Eng Jim alias Stuart I have seen Stuart the prisoner in your custody I know him to be the same man that I saw at the house of Mrs Hogan. These men did not all board there except Whittaker who was a constant boarder. These men frequented the house Some of them eat and slept there occasionally—I never

⁵ The brackets enclose names that were crossed out in the manuscript, and suppressed in the first publication of the evidence in Stuart's case.

[July 10, 1851]

saw them commit any acts of my own knowledge—He never [saw] Sam Whittaker engage in any ostensible business whereby to earn a living—From my knowledge of the parties I suspected them of crime—from their general conduct and from subsequent information received from Sam Whittaker which confirmed my opinion. I have also seen Edwards at Mr Hogans house in company with these men—of your own knowledge, *Mr Hetherington refuses to answer this question.* Do you know if Sam Whittaker had illicit intercourse with Mrs Hogan from your own knowledge?

From explanations made by the president the deponent answers the question I have frequently seen Sam Whittaker and Mrs Hogan . . . together, Whittaker was aware that I have seen him . . . with Mrs Hogan—Mrs Hogan had said she had done wrong (alluding to Whittaker) and would not live with Mr Hogan again—

[In Mr. Payran's writing:]

At request of Mr Hetherington the Executive Committee except Mr Wadsworth & myself—retired when he stated

Whittaker told me that English Jim alias Stuart was traveling up to Marysville from Nicholas with two Americans & were hunting their mules which they had lost, the men were out of money, and concluded that they might as well be dead as without money, they agreed, to go up to the mountains, and rob every man they met, till they each had \$20,000, that he the man Moore (whom they murdered) was the first man they met, and they murdered him. Long Jim⁶ shot him—that he shot him with a shot gun—before anyone else came along they Long Jim & his Companions were discovered—the names of the American I never learned—one of them escaped from the Prison Brig—

Sam Whittaker said to me that there was a specimen in this City which Long Jim said he took off the body of Moore, and that it had been shown to him (Whittaker) and that he was confident that Berdue was innocent of it.

Sam Whittaker told me that he had a plan of Macondry & Cos Building, that he could rob the safe, that he had a plan of Dewitt & Harrison's, which he could rob at any time, also Youngs next to the El Dorado.

⁶ Long Jim was an alias of Stuart. See also Whittaker's confession, p. 480.

[July 10, 1881]

new than commit any acts of my own knowledge.—He never [saw] Sam Whittaker engage in any ostensible business whereby to earn a living.—From my knowledge of the parties I suspected them of crime—from their general conduct and from subsequent information received from Sam Whittaker which confirmed my opinion. I have also seen Edwards at Mr. Hogan's house in company with these men—of your own knowledge, Mr. Wells, you refuse to answer this question. Do you know if Sam Whittaker had illicit intercourse with Mrs. Hogan from your own knowledge? From explanation made by the president the deponent answers the question. I gave frequently seen Sam Whittaker and Mrs. Hogan . . . together. Whittaker was aware that I have seen him . . . with Mrs. Hogan—Mrs. Hogan had said she had done wrong (alluding to Whittaker) and would not live with Mr. Hogan again.—

[In Mr. Payson's witness.]

At request of Mr. Wells, the Executive Committee except Mr. Edwards & myself—retired where it stated. Whittaker told me that English Jim Allen stated was traveling up to Marysville from Nicholas with two Americans & was hunting their mules which they had lost, the men were out of money, and concluded that they might as well be dead as without money, they agreed to go up to the mountain, and rob every man they met, till they each had \$20,000, that he the man Moore (whom they murdered) was the first man they met, and they murdered him. I saw Jim Allen along that he shot him with a shot gun—before anyone else came along they. I saw Jim & his companions were discovered—the names of the American I never learned—one of them escaped from the Prison this.

Sam Whittaker said to me that there was a specimen in this City which I saw he took off the body of Moore, and that it had been shown to him (Whittaker) and that he was confident that Moore was innocent of it.

Sam Whittaker told me that he had a plan of Maryland & Co. holding, that he could rob the safe, that he had a plan of Davitt & Harrison's which he could rob at any time, also Youngs next to the El Dorado.

*Long Jim was an alias of Moore. See also Whittaker's confession, p. 480.

[July 10, 1851]

The foregoing and what I have stated in my first examination is all that I know

[Signed] Joseph Hetherington

Attest S Payran

Mrs Hogan's Evidence

Executive Chamber July 10th 1851

In the matter of Mrs Hogan

Your Committee respectfully represent that they have had her before them, the deposition is hereto annexed, but elicited nothing important, and have deferred her further examination until to morrow

Attest [. . .]

[Signed] Stephen Payran

Presdt E. C.

July 10

Mary Hogan— Mr Hogan was absent for some time at the Mines—when Mr Hetherington boarded at my house—Mr Hetherington Davis, Jackson & friend boarded there—Mr Jackson lives in Sac. City—Mr Hetherington is a man of truth.—There was a man came down from the mines one morning before I was up asked girl if would take boarders—She told him no, he said he wanted his meals for a few days, I told him we did not keep a restaurant—He returned at dinner time—I did not know his name but Mr H said he was English Jim thinks 'twas last March—I have seen Belcher Kay at my bar. I knew Jim Briggs.—also Sam Whittaker—Sam Whittaker remained until the 30 June or 1 July until Hogan returned—dont know where he went then— I dont know anything about Sam Whittaker.—I never rec^d any money from him except \$18. a week board— I have seen Whittaker in company with Kay and Briggs. I did not know nor believe he followed unlawful business.— He was not on intimate terms with me, further than the others were.— he is about 5 ft 6 not good looking dark complexion—dressed neatly sometimes.— I have heard Belcher Kay & him wrangling.—There was no row after the Jansen affair—I dont know what became of Jim Briggs—No one refused to eat at my table in com-

The foregoing and what I have stated in my first examination

is all that I know

(Signed) Joseph Hetherington

Attest S. E. Ryan

Mrs. Hogan's Residence

Executive Chamber July 10th 1851

In the matter of Mrs. Hogan

Your Committee respectfully represent that they have had
her before them, the deposition is hereto annexed, but omitted
nothing important, and have deferred her further examination

until to-morrow

Attest (S. E. Ryan)

(Signed) Stephen Ryan

Frederick E. C.

July 10

Mrs. Hogan — Mr. Hogan was absent for some time in the
mine — when Mr. Hetherington boarded at my house — Mr. Hether-
ington, Davis, Jackson & friend boarded there — Mr. Jackson
lives in San Jose — Mr. Hetherington is a man of truth — There
was a man came down from the mine one morning before I was
up, asked him if he would take boarders — She told him not to
said he wanted his meals for a few days. I told him we did not
keep a restaurant — He returned at dinner time — I did not know
his name but Mr. H said he was English — I think now that
March — I have seen Belcher Key at my bar. I know this bridge
— also Sam Whitaker — Sam Whitaker remained until the 30
June or 1 July until Hogan returned — I do not know when he went
then — I do not know anything about Sam Whitaker — I never
received any money from him except \$18 a week board — I did not know
Whitaker in company with Key and Hogan. I did not know
nor believe he followed unlawful business — He was not an
intimate friend with me, further than the others were — He is
about 5 ft 6 not good looking dark complexion — dressed
neatly sometimes — I have heard Belcher Key & his associates
— There was no row after the Jackson affair — I do not know what
because of this bridge — No one refused to eat at my table in con-

[July 10, 1851]

pany with Whittaker⁷ Briggs &c—I dont recollect asking why a certain person was shy of Whittaker— I never knew of a house corner ally leading from Gold St into Jackson above Sansome where Whittaker resided with a man named Teddy I lived next Cross [&] Hobson—I moved corner Dupont & Green— Never knew Whittaker in Colonies. I never said he was a Gov^t man, was assigned to Mr Hogan or was a Butcher—He never was assigned to Hogan—He lived at my house during absence of Mr Hogan. Hogan was enraged on his return to find him there, ordered me to send him off, he left next morning—'Tis likely he left the country but I dont know—English Jim went by name of Mason.—He & some others never divided money in my house—I have seen them all drinking together. I know Capt. Arrentrue

not at my house—I know D^d Earl.—he has been at my present house with Arrentrue.— I have seen Whittaker with them.— Never saw Belcher Kay with them,—Mr Hetherington staid at my house during my husband's absence believes he bore an indifferent character, but should believe any statement he should make.—Dont know Kitchen—Two or three came to our door last tuesday night—but not Mason—or English Jim, I have not seen him for ten days past. Mr Hetherington said from description in paper 'twas English Jim who had committed murders Hogan found fault with Whittaker's staying because he had been pointed out to him as a bad character—I never knew Whittaker to be out late except on one occasion.—I have heard him say he attended sales. I have seen him with a \$1000. I have some daguerreotype of Mr Hogan and my sisters—no papers—I know several Smiths

I have seen J^{no} Edwards. Dont know Teddy M^c Cormick—nor Morgan—Tom Quick—Ryan or Stevens—Mason came to my house in March perhaps in February Same month Mr Hogan left home—That was the only time I saw Mason (or E Jim)—Whittaker was out some place near the Mission. I visit D^r Lambert at Mission where I have seen Whittaker—I never wrote to him—My house was searched once by Police—for some gold—Did not say who 'twas connected with—Mr Clark lost some money—did not say he lost it there—no man staid at my house last tuesday two weeks or last tuesday week answering to Mason—

⁷ See p. 243.

[July 10, 1921]

pany with Whitaker. Briggs &—I don't recollect seeing why
a certain person was shy of Whitaker. I never knew of a
house corner ally leading from Gold St into Jackson above San
some where Whitaker resided with a man named Tobby. I
lived next Cross [2] Hobson—I moved corner Dupont & Green—
Never knew Whitaker in California. I never said he was a Gov.
man, was assigned to Mr. Hogan or was a butcher—he never was
assigned to Hogan—he lived at my house during absence of Mr.
Hogan. Hogan was engaged on his return to find him there.
ordered me to send him off he left next morning—Toby likely
he left the country but I don't know—English Jim went by name
of Mason—he & some others never divided money in my house—
I have seen them all drinking together. I know Capt. Armstrong
not at my house—I know Dr. Hall—he has been at my present
house with Armstrong—I have seen Whitaker with them—
Never saw Belcher Key with them—Mr. Hetherington said at
my house during my husband's absence. Belcher he says an
indifferent character, but should believe my statement he should
make—Don't know Belcher—Two or three came to my door last
Tuesday night—but not Mason—or English Jim. I have not seen
him for ten days past. Mr. Hetherington said from description in
paper twice English Jim who had committed murders. Hogan
found fault with Whitaker's staying because he had been pointed
out to him as a bad character—I never knew Whitaker to be out
into except on one occasion—I have heard him say he attended
of Mr. Hogan and my absence—no papers—I know several habits
I have seen Mr. Edwards. I don't know Tobby Mr. Carmick—
nor Morgan—Tom Gould—Rosa or Stevens—Mason came to my
house in March perhaps in February. Same month Mr. Hogan
left home—That was the only time I saw Mason (or E. Jim)—
Whitaker was out some place near the Mission. I visit Dr. Lane
part at Mission where I have seen Whitaker—I never wrote to
him—My house was watched once by Police—for some gold—
Did not say who was connected with—Mr. Clark had some
money—did not say he had it there—no man stood at my house
last Tuesday two weeks or last Tuesday week answering to Mason—

[July 10, 1851]

I have not got a daguerreotype of Mason—I know Weldred he was in the habit of coming to my house—Mr Hogan & he were from the same town, or their families were— Has not been there since his arrest in Feby.—I may have seen English Jim 4 times at my house I have seen him in company with Belcher Kay, Jim Briggs & Whittaker drinking with them at the bar never have seen Belcher Kay speaking together with Whittaker since their wrangling.—Several nights one or two nights after the Jansen affair I saw Kay, English Jim, Whittaker 8 or 9 altogether some I have never seen before or since—they drank something—my room is on the left hand side—I never had a daguerreotype of Mason alias English Jim

her
[Signed] Mary X Hogan
mark

Witness W^m C Graham[Endorsed:] Taken & filed July 10th 1851

Attest S. Payran Presdt

*Mrs Hogan Exⁿ—[Continued]*Mary Ann Hogan—I am from Ireland . . .^s

Where did you conceal Whitaker at the Mission?

Dont you know Whitaker was a burglar?

What house at the Mission was it you have been in the habit of visiting—How many times was your house searched by the Police

Did not Eng Jim or Jim Stuart or Mason sleep at your house on tuesday night last?

Where is the likeness of Jim Stuart or Eng Jim or Mason—

[Mr. Hogan's Evidence]

Michael Hogan— *Sworn* Am a native of Ireland—have lived most of my time in Eng—I have resided one year in San Francisco—I have seen and know Jim Briggs—Mr Whitaker was

^s The matter omitted above is a repetition of parts of Mrs. Hogan's examination.

I have not got a daguerrotype of Mason—I know Weidner he was in the habit of coming to my house—Mr. Hogan & he were from the same town, or their families were—Has not been there since his arrest in Feb'y.—I may have seen English Jim 4 times at my house I have seen him in company with Hecker Kay, Jim Briggs & Whitaker drinking with them at the bar never have seen Hecker Kay speaking together with Whitaker since their wrangling—Several nights one or two nights after the January affair I saw Kay, English Jim, Whitaker, 8 or 9 others, together some I have never seen before or since—they drank something—my room is on the left hand side—I never had a daguerrotype of Mason alias English Jim

per
[Signed] Mary X Hogan
mark

Witness Wm C Graham
[Endorsed] Taken & filed July 10th 1851
Attest S. J. Ryan Clerk

Wm. Hogan Ex.—[Continued]

Mary Ann Hogan—I am from Ireland . . .

Where did you connect Whitaker at the Mission?
Don't you know Whitaker was a burglar?
What house at the Mission was it you have been in the habit
of visiting—How many times was your house searched by the
Police
Did not Eng Jim or Jim Stuart or Mason sleep at your house
on Tuesday night last?
Where is the library of Jim Stuart or Eng Jim or Mason—

[Mr. Hogan's Evidence]

Michael Hogan—Born Ann a native of Ireland—have
lived most of my time in Eng—I have resided one year in San
Francisco—I have seen and know Jim Briggs—Jim Whitaker was
*The matter omitted above is a repetition of parts of Mr. Hogan's
examination.

[July 10, 1851]

at my house when I returned from Umpqua River He was about 5 ft 6 or 7 in high—with a turned up nose—and a little stoop in shoulders—I also knew Mr Hetherington he was living at my house when I went away & on my return was still there—when I returned I found Mr Whitaker at my house and I asked my wife what that man Whitaker was doing at my house—she replied that he was a boarder—I ordered him to be sent away—I left my house with my wife & sister and a young woman who had been living with us—Hetherington & Dan his partner—a man by the name Jackson a printer—Mr Davis—I do not recollect any other—Mr Hetherington told me (on my return) that he did not believe Mr Whitaker to be any great account—did not think him honest—did not think him a fit man to be in the house—and was glad that I had come home—the information received from Mr Hetherington produced unpleasant affairs in my family—the affairs between myself and wife can never be settled—Some years ago I had some trouble with my wife—my wife thought I never knew this man Whitaker—I always knew him to be a thief—or he was pointed out to me as such—A man by the name of Teddy & Whitaker were partners in a house in Jackson St near Sansom—the house was called the Port Philip house—On my leaving my house I left Capt King at my house or I should not have come here to testify

[Signed] Micheul Hogan

[Endorsed:] Mrs. Hogan's Evidence

Taken & filed July 10th /51

Attest S Payran Presdt

[Concerning Anthony McLean]

To The Executive Committee of Vigilance

Gentlemen—The bearer of the enclosed note giving his name as Anthony Mc Lean—is in the opinion of the undersigned—evidently as the note from Dr. M. states "*Mon Compos Mentis*"—He complains of persons living in the rear of the Hotel de Ville at corner of Montgomery & Sutter Streets—as having threatened his life, and hunted him at his house with Wild Cats, and other dangerous animals as well as arms—

[July 10, 1851]

at my house when I returned from Umpqua River. He was about 5 ft 5 or 7 in high—with a turned up nose—and a little stoop in shoulders—I also knew Mr. Hetherington—he was living at my house when I went away & on my return was still there—when I returned I found Mr. Whitaker at my house—I asked my wife what that man Whitaker was doing at my house—she replied that he was a boarder—I ordered him to be sent away—I left my house with my wife & sister and a young woman who had been living with us—Hetherington & Dan his partner—a man by the name Jackson a partner—Mr. Davis—I do not recollect any other—Mr. Hetherington told me (on my return) that he did not believe Mr. Whitaker to be any great account—did not think him honest—did not think him a fit man to be in the house—and was glad that I had some news—the information received from Mr. Hetherington produced unpleasant affairs in my family—the affairs between myself and wife can never be settled—Some years ago I had some trouble with my wife—my wife thought I never knew this man Whitaker—I always knew him to be a thief—or he was pointed out to me as such—A man by the name of Tedy & Whitaker were partners in a house in Jackson St near Garrison—the house was called the Fort Philip house—On my leaving my house I told Capt King at my house or I should not have come here to tellly

[Signed] Michael Hogan

[Witnessed]

[Witnessed] Mrs. Hogan's Evidence

Taken & filed July 10th 51

Attest S. Payson Presd

[Witnessed] Anthony W. Lane]

To The Honorable Committee of Witnesses
Gentlemen—The bearer of the enclosed note giving his name as Anthony W. Lane—as in the opinion of the undersigned—evidently as the note from the Hon. James W. Lane “Hon. James W. Lane” His complaint of persons living in the rear of the Hotel de Ville at corner of Montgomery & Center Streets—as having threatened his life, and invited him at his house with Wild Cat, and other dangerous animals as well as arms—

[July 10, 1851]

We recommend him to be referred to the Police for the protection he may require.

Respectfully Your

Obt Servants

[Signed] Benj Reynolds

"

F. O Wakeman

San Francisco July 10, 1851.

[Addressed:]

To the Executive Committee of Vigilance
Present

To Whom it may concern

The Bearer requires protection as he is not *Compos Mentis*

[Signed] Robert Mackintosh

Montgomery Street

July 10th 1851

H. Levey in relⁿ to a fraud by Goldsmith a Dutch Jew

San Francisco July 10th 1851

This is to certify that one David Goldsmith a Jew, did obtain from me the sum of Ten Hundred and Fifty dollars in cash also one Gold Watch, for the purpose of selling for me, and I now am satisfied that it was a deep laid scheme of "*fraud*" from the beginning, pretending he had a large amount of Goods and about to open a store, one in San Francisco and one in Sacramento which upon investigation it is found that he not only has no Goods, but is very much in debt.

David Goldsmith is a man of about 5ft 9in well sett, very bushy hair and rather of a prepossing appearance is most generally known by the name of Goldsmith or Dutch, as he is a Dutch Jew, Wore at time he left Frock coat and dress Hat Gambles considerable

Respectfully &c

[Signed] H. Levey

Corner of Jackson & Sansome St East Side

Refer to Henry D Mc Cobb

SAN FRANCISCO COMMITTEE OF VIGILANCE OF 1851 261
[July 10, 1851]

We recommend him to be referred to the Police for the protection he may require.

Respectfully Yours

Obt. Servants

[Signed] Benj. Reynolds
" F. O. Watsman

San Francisco July 10, 1851.

[Addressed]

To the Executive Committee of Vigilance
Present

To Whom it may concern

The Bearer requires protection as he is not a proper Member
[Signed] Robert Jackson

Montgomery Street

July 10, 1851

H. Lundy is referred to a friend by Goldsmith a Dutch Jew

San Francisco July 10th 1851

This is to certify that one David Goldsmith a Jew, did obtain from me the sum of Ten Hundred and Fifty dollars in cash also one Gold Watch for the purpose of selling for me, and I now am satisfied that it was a cheap and sound of "Jewry" from the beginning, pretending he had a large amount of goods and about to open a store, one in San Francisco and one in Santa-Mento which upon investigation it is found that he not only has no goods, but is very much in debt.

David Goldsmith is a man of about 50 years old, very bushy hair, and rather of a suspicious appearance. He is generally known by the name of Goldsmith or Dutch, as he is a Dutch Jew. When at times he felt free and does that

Gambles considerably

Respectfully &c

[Signed] H. Lundy

Corner of Jackson & Sanson Sts San Fran

Refer to Henry D. M. Cobb

[July 10, 1851]

Store Ship *Wm Gray* next Block North Laws Wharf
Clarks Point

[Addressed:]

To V. Committee

San Frano

Present

[Endorsed:] Filed July 14 1851

D L Oakley. to produce evidence

John B Ward Marine reporter for several papers of this City and a boarder of Capt Simpton, Harbour master, told Capt S— that in a crowd near Minturns he recognized T. Belcher Kay, this was communicated on the subsequent night to the attempt, as I have heard.

I can produce Mr Ward who I believe to be a man of veracity

[Signed] D L Oakley No 418

July 10th

 FRIDAY, JULY 11, 1851

MINUTES

Minutes July 11th 1851

At a special meeting of the Ex Committee held at their room on the 11 July 1851 Present Payran.—Ryckman.—Mellus.—Ellis.—Bromley Ward.—Woodworth.—Huie.—Graham.—Ward Schenck

The meeting was called to order for the purpose of fixing the place of executing the prisoner Stuart.—

By the request of the Committee of Vigilance Mr Stevenson was appointed to address the Crowd outside and state the reasons for which the said convict is to be executed.—

On Motion Cap^t Wakeman was authorized to pass out to make the out door arrangements.—

Payran & Mellus appointed Committee on publication of Evedence, Confession &c of Stuart alias [. . .], Committee report that they have discharged the duty by placing the docu-

282
 ACADEMY OF PACIFIC COAST HISTORY
 [July 10, 1881]
 Store Ship Wm Gray next Block North Lane West
 Clark Point
 [Addressed:]
 To V. Committee
 San Francisco
 Present
 [Endorsed:] Filed July 14 1881

D. A. Oakley, to produce evidence
 John B. Ward Marine reporter for several papers of this
 City and a boarder of Capt Simpson, Harbor master, told Capt
 S. that in a crowd near Minutina he recognized T. Belcher
 Kay, this was communicated on the subsequent night to the
 attempt, as I have heard.
 I can produce Mr Ward who I believe to be a man of veracity
 (Signed) D. A. Oakley No 418
 July 10th

Friday, July 11, 1881
 MINUTES
 Minutes July 11th 1881
 At a special meeting of the Ex. Committee held at their room
 on the 11 July 1881 Present Payson—Hickman—Mellon.
 —Ellis—Bromley Ward—Woodworth—Hale—Graham—
 Ward Schenck
 The meeting was called to order for the purpose of fixing the
 place of executing the prisoner Stand—
 By the request of the Committee of Vigilance Mr Stevenson
 was appointed to address the crowd outside and state the reasons
 for which the said convict is to be executed—
 On Motion Capt Wicksman was authorized to pass out to
 make the out door arrangements—
 Payson & Mellon appointed Committee in publication of
 Evidence, Committee of Stand alias [. . .], Committee to
 port that they have discharged the duty by placing the door—

[July 11, 1851]

ments in the hands of the Editors of the *Herald*, and therefore beg to be released¹

[Signed] S Payran Presdt Ex C.

Secretary of Ex C W^m C Graham

Minutes of General Meeting July 11. 1851

Mr Selim Woodworth in Chair

On Motion

Resolved—That Evidence in case Stuart be read

Questions by Dr Stout and Mr Dows

Has the prisoner performed his contract or not?² No

Unanimously—

Has the prisoner been guilty of crimes rendering him liable to the punishment of death— Yes—unanimously—

On Motion

Resolved That Prisoner Stuart be hung— unanimously carried—

Resolved That a Clergyman be sent for to remain with Prisoner until he is hung—

Resolved That Prisoner be hung at 2 o'clock³

Resolved That Ex Com make necessary arrangements

Resolved That no person be allowed to leave the room

Resolved That Prisoner receive his sentence

¹ The *Herald* printed an extra on July 11, and a supplement on the 12th, giving all the evidence in the case, with the exception of suppressed names, and Hetherington's statement, which for lack of space was delayed until the regular issue of the 12th. The other San Francisco papers published the same material on the 12th. By request of the Committee, a large part of the testimony was reprinted, on the 18th, when the suppressed portions were made public.

² See note 9, p. 224.

³ Stuart was executed about three o'clock on Friday, July 11. Earlier in the afternoon Colonel J. D. Stevenson made an address to the crowd that had gathered outside headquarters, and after stating the facts of the case, called upon the citizens to express their sanction of the decision made by the Committee. This was done by a shout of approval, while three voices, only, were heard to protest. The prisoner was then led out, handcuffed, and guarded by about four hundred armed members of the Committee, massed solidly about him. He was conducted down Battery Street to the Market Street Wharf, and there hung from a derrick, while the Committee and a great concourse of spectators waited below him in silence, with uncovered heads. *S. F. Herald* and *Alta California*, July 12, 13, and Soule, *Annals of San Francisco*, 580.

ments in the hands of the Editors of the Herald, and therefore
beg to be released.

[Signed] S. P. Ryan Fresh Ex. C.
Secretary of Ex. C. W. C. Graham

Minutes of General Meeting July 11, 1851

Mr. Selim Woodworth in Chair

On Motion

Resolved—That Evidence in case Stuart be read

Questions by Dr. Stout and Mr. Davis

Has the prisoner performed his contract or not? No

Unanimously—

Has the prisoner been guilty of crimes rendering him

liable to the punishment of death— Yes—unanimously—

On Motion

Resolved That Prisoner Stuart be hung— unanimously

carried—

Resolved That a Chaplain be sent for to remain with

Prisoner until he is hung—

Resolved That Prisoner be hung at 2 o'clock

Resolved That Ex. Com make necessary arrangements

Resolved That no person be allowed to leave the room

Resolved That Prisoner receive his sentence

The Herald printed an extra on July 11, and a supplement on the
12th, giving all the evidence in the case, with the exception of supposed
names and handwriting's statements, which for lack of space was delayed
until the regular issue of the 12th. The other San Francisco papers
published the same statement on the 12th. By request of the Committee,
a large part of the testimony was reprinted, on the 12th, when the sup-
posed portions were made public.

See note B, p. 124

Stout was examined about three o'clock on Friday, July 11. Earlier
in the afternoon Colonel J. M. Stevenson made an address to the crowd
that had gathered outside headquarters, and after stating the facts of the
case, called upon the citizens to express their opinion of the decision
made by the Committee. This was done for a short of approval, while
three voices only were heard in protest. The prisoner was then led out,
handed over, and escorted by about four hundred armed members of the
Committee, passed safely about him. He was conducted down Battery
Street to the Market Street Wharf, and there hung from a gallows, while
the Committee and a great number of spectators watched below him in
silence with unexpressed heads. A. F. Russell and John C. Stephens, July 12,
1851, and Gould, records of San Francisco, 124

[July 11, 1851]

Resolved That Col Stevenson inform the populace that at 2 o'clock the prisoner Stuart will be hung—

The Chair announced that the Clergyman was now in the room with prisoner

On motion

Resolved That a Committee be appointed to draft a form of the testimony to be published in the papers of to-morrow morning—

On Motion

Resolved That the Com take a recess of half an hour⁴—

MISCELLANEOUS PAPERS

[*Resignation of J. H. Levien*]

San Francisco 11 July 1851

Sir

Intending to quit California in a few days for India I have to request that my name may be erased from the roll of Members.

I shall nevertheless have the interest of the Society at Heart and you may rely that any information that I can glean in my travels that may promote the ends intended I shall communicate at every opportunity

With every wish that the Society may prosper & finish the "Work so well be begun"

I subscribe myself

Yours Most respectfully

[Signed] Joseph H Levien⁵

To the Chairman of the Executive Committee of the Vigilant Committee

San Francisco

[Annotated:] Leave of absence granted G. E. Schenck

⁴ These minutes are in the handwriting of Isaac Bluxome, Jr.

⁵ This name is printed "Levrin?" in the roll of members (*Papers of the San Francisco Committee of Vigilance of 1851*, I), but the signature here is clearly "Levien."

[July 11, 1851]

Resolved That Col Stevenson inform the populace that at 2 o'clock the prisoner Stuart will be hung—

The Chair announced that the Clergman was now in the room with prisoner

On motion

Resolved That a Committee be appointed to draft a form of the testimony to be published in the papers of to-morrow

morning—

On Motion

Resolved That the Com take a recess of half an hour—

MISCELLANEOUS PAPERS

[Resignation of J. H. Larkin]

San Francisco 11 July 1851

Sir

Intending to quit California in a few days for India I have to request that my name may be erased from the roll of Members. I shall nevertheless have the interest of the Society at heart and you may rely that any information that I can glean in my travels that may promote the ends intended I shall communicate at every opportunity.

With every wish that the Society may prosper & finish the "Work so well begun"

I subscribe myself

Yours most respectfully

[Signed] Joseph H. Larkin

To the Chairman of the Executive Committee of the Vigilance

Committee

San Francisco

[Annotated: Leave of absence granted. G. E. Schenck

* These minutes are in the handwriting of James Stevenson, Jr.
* This name is printed "Larkin" in the roll of members. (Copy of the San Francisco Committee of Vigilance of 1851, p. 1) but the signature here is clearly "Larkin."

[July 12, 1851]

SATURDAY, JULY 12, 1851

MINUTES

Minutes Morning Session July 12th 1851

At a special Meeting of the Executive Committee held this 12th day of July 1851 Present. James Ward A. J. Ellis Stephen Payran Col Graham C. H. Brindley

Mr Bache made report in relation to property stolen from him, see statement taken by Mr Ward,

Report of Mess Howard & Oakes Committee sent to Stockton in quest of Sam Whittaker report that after close search assisted by some of the Vigilance Committee of Stockton, they are of opinion that Whittaker is not there, the said Committee saw a man resembling Briggs, report accepted

On Motion of J. Ward it is ordered that Mr Hetherington be desired to proceed with some members of this Committee to Stockton for the purpose of identifying a man supposed to be Jim Briggs, who arrived at Stockton night before last

On Motion of J. Ward ordered that a guard of 20 men well armed be sent as far as Benicia to come down on the *New World* to protect the person of a Prisoner Belcher Kay and others, in case such Prisoners should be on his way down in charge of our Committee Order issued

Adjourned to meet at 8. OClock P M

[Signed] W^m C Graham Sect^y

[Signed] S Payran

Presdt

Minutes Saturday Evening 12 July 1851

At a Meeting of the Ex^e Committee held on Saturday evening July 12th 1851. Present Payran, Brindley, Ward Schenck— Bromley Curtis Bluxome Woodworth, Graham, Ellis—

Mr Bromley made a statement relative to a report in circulation said to have emanated from Mr John F Spence, against Mr Frank Tilford Esquire criminating him with the man Stuart.—

On motion the President was instructed to address a letter

SATURDAY, JULY 12, 1851

MINUTES

Minutes Morning Session July 12th 1851

At a special Meeting of the Executive Committee held this
12th day of July 1851 Present: James Ward A. J. Ellis
Stephen Payson C. M. Brinkley
Mr. Bache made report in relation to property stolen from
him, see statement taken by Mr. Ward.
Report of Miss Howard & Oakes Committee sent to Stockton
in quest of Sam Whittaker report that after close search as-
sisted by some of the Vigilance Committee of Stockton, they are
of opinion that Whittaker is not there, the said Committee saw
a man resembling Briggs report accepted.
On Motion of J. Ward it is ordered that Mr. Hetherington be
desired to proceed with some members of this Committee to Stock-
ton for the purpose of identifying a man supposed to be John
Briggs, who arrived at Stockton night before last.
On Motion of J. Ward ordered that a guard of 20 men well
armed be sent as far as possible to come down on the San Joaquin
to protect the person of a prisoner, Charles Koy, and others in
case such prisoners should be on his way down in charge of our
Committee Order issued.

Adjourned to meet at 8 O'clock P. M.

[Signed] W. C. Graham Secy

[Signed] S. Payson

Preside

Minutes Saturday Evening 12 July 1851

At a Meeting of the Ex. Committee held on Saturday eve-
ning July 12th 1851 Present: Payson Brinkley Ward
Schuch—Brinkley—Ward—Woodworth.
Graham, Ellis—
Mr. Brinkley made a statement relative to a report in circu-
lation said to have emanated from Mr. John F. Spence, against Mr.
Frank Thilford Espinosa, stating that with the man named—
On motion the President was instructed to address a letter

[July 12, 1851]

(Copy filed) to Mr F Tilford denying any knowledge of the Charge said to have been disclosed by Stuart.—

On motion of Mr Brindley he was appointed a Committee of one to wait upon Mr Jno F Spence relative to the report in circulation—

Resolved that we recommend to the Gen^l Committee the discharge of Negro Ben.—

No other business being before the Committee, adjourned

[Signed] W^m C Graham Sect^y

Minutes of Genral Meeting July 12, 1851

Evidence in Case of Negro Ben read and report of Ex Committee— adopted

On motion

Resolved That Negro Ben—charged with Arson be discharged

On motion Mr F Woodworth

Resolved—That the following Gent be added to Qualification Com—Loyd Minturn—E Anthony Cha^s L Case—passed

On motion Mr Woodworth

Resolved—That a Com be appointed to wait on Jack Hayes to inform him that the Com were ready to commence the Completion of County Gaol and obtain such information from him as will assist in going on the work—The following are the Com Selim E. Woodworth, Cha^s Brinley, Jas Ward

MISCELLANEOUS PAPERS

Copy of letter to F Tilford 12 July 1851

Executive Chamber

July 12th 1851

Frank Tilford Esqr

Dr Sir, Whereas it has been reported to the Executive Committee of the Committee of Vigilance of San Francisco. that Stephens alias Stuart alias English Jim, alias Mason, alias Campbell, alias Carlisle, had implicated you in his confession &c.—

The Committee have instructed me to inform you in their ing your name in any manner during his many examinations

ing your name in any manner during his long association
 The Committee have instructed me to inform you in their
 self, alias Carls, and suggested you in his confession &c.—
 Stephens alias Stuart alias Hutchins alias alias alias alias
 mitted of the Committee of Vigilance of San Francisco that
 Dr. Sir, Whereas it has been reported to the Executive Com-
 Frank Thilford Esq.

July 12th 1851
 Executive Chamber
 Copy of letter to F. Thilford 12 July 1851

MISSISSIPPIAN RECORD

Com Selim E. Woodworth, Chas. Briggs, Jas Ward
 him as will assist in going on the work—The following are the
 Completion of County Jail and obtain such information from
 Hayes to inform him that the Com were ready to commence the
 Resolved—That a Com be appointed to wait on Jack
 On motion Mr Woodworth

passed
 tion Com—Jays McIntam—K Anthony Chas. I. Case—
 Resolved—That the following Gent be added to Qualifica-
 On motion Mr F. Woodworth

charged
 Resolved That Negro Ben—charged with Arson be dis-
 On motion

mitted— adopted
 Evidence in Case of Negro Ben read and report of Ex Com-

Minutes of General Meeting July 12, 1851

[Signed] W^m C Graham Secy
 No other business being before the Committee, adjourned
 change of Negro Ben—

Resolved that we recommend to the Genl Committee the dis-
 colation—

one to wait upon Mr. the F. Spence relative to the report in cir-
 On motion of Mr. Briggsley he was appointed a Committee of
 Charge said to have been disclosed by Stuart—
 (Copy filed) to Mr. F. Thilford denying any knowledge of the
 [July 12, 1851]

[July 12, 1851]

nor in his confession nor to the Clergyman (Doctor Mines) who was with the Prisoner at the last.—

We regret much that any report inimical to your character should have emanated from any Member of the Committee and trust it may not be the case, it is enough to publish truth to the world, without wantonly injuring any one, especially one whom we much respect and esteem.¹

By order of Executive Com^e.

S. Payran

Secretary W. H. Graham

P. Ex. Com:

The Matter of Mrs. Robinson & Negro Ben charged with Arson

The Executive Committee have to report to the General Committee the case of the Negro Ben, arrested under peculiar circumstances, on the night of Saturday, the 28th of June. As the members of the Committee of Vigilance are aware:— the Negro Ben was arrested by the City Police upon the presumption as they reported, that he was guilty of, and concerned with others in firing a house in Pacific St. on Sunday 22^d June. It will be seen by evidence read to this Committee that on the night of Saturday, 28th June, by an understanding, and with consent of certain officer, or officers of the Police, the man Ben was released and re-arrested by the Committee of Vigilance in paying attention to the evidence of Ben it appears, that he was induced by fear & bribery to confess that his mistress had induced & ordered him to set fire to the building in Pacific Street. After such important testimony being given he was allowed to escape, with the expectation & intention of the Police that he would fall into the hands of our Committee, make the same false statements against his mistress, which was hoped in the excited state of this Community would induce this Committee to arrest, hastily try & condemn the person against whom he testified—

[Annotated:] That the negro be detained²

[Endorsed:] Mrs. Robinson Discharged

Filed

¹ Compare the letter addressed to the Committee by Lockwood, Tilford and Randolph, p. 210.

² The minutes of the General Committee of this date show that Ben was discharged.

not in his confusion due to the Clergyman (Doctor Miles) who
was with the Prisoner at the last—

We regret much that any report inimical to your character
should have emanated from any Member of the Committee and
trust it may not be the case, it is enough to publish truth to the
world, without wastefully injuring any one, especially one whom
we much respect and esteem.

By order of Executive Com-

Secretary W. H. Graham
S. P. Ryan
F. H. Com-

The Matter of Mr. Robinson & Negro has charged with Arson
The Executive Committee have to report to the General Com-
mittee the case of the Negro who arrested under peculiar cir-
cumstances, on the night of Saturday, the 25th of June. As the
members of the Committee of Vigilance are aware—the Negro
then was arrested by the City Police upon the presumption as they
reported, that he was guilty of, and concerned with others in
firing a house in Pacific St. on Sunday 25th June. It will be
seen by evidence read in this Committee that on the night of
Saturday, 25th June, by an understanding and with consent of
certain officers or officers of the Police, the man then was released
and re-arrested by the Committee of Vigilance. In paying at-
tention to the evidence of this it appears, that he was induced by
fear & bribery to confess that his mistress had induced & ordered
him to set fire to the building in Pacific Street. After such im-
portant testimony being given he was allowed to escape, with
the expectation & intention of the Police that he would fall into
the hands of our Committee, make the same false statements
against his mistress, which was hoped in the excited state of the
Community would induce this Committee to arrest, punish by
& condemn the person against whom he testified—

[Amended:] That the negro be detained.

[Amended:] Mr. Robinson discharged.

Filed

1 Compare the former statement to the Committee by Robinson, 1851,
and Robinson, p. 210.
2 The minutes of the General Committee of 1851 show that
he was discharged.

[July 12, 1851]

Mr. Wethered. Statement—Ben's Case

Officer 3rd. District Police— Came to see about a trunk said to be stolen. Contg \$2000. Mr^s Bosley drove up to ask about a package.

Mr. Wethered went up with Mr. Howard—Mr. H. did not wish to let the information go abroad that the Negro was released from Calabose—Officer let him go to get his coat—on pretense—when Mr. W took him—I was talking with negro for some time—he made confession as was stated by him today—

[*Ben's Case*]

To be alluded to immediately on the information of Mr Brown to Robt Reed he has learned That the Prisoners before the Vigalant Comte (The Black Man & White woman) That a Mrs Coneklin who lives oppost the Grace Church (or that the Carpenters employed in a building opposit to G Church knows her & can inform where she can be fown—That the Said Mrs Coneklin can give and has declared to the above named Mr Brown that The above named White Woman had lived in the House that was set on fire & that The nigro had been often in her company & had got drunk together & that the White Woman had robbed the house of the grates from the stove & done other Injuries to the House on her leaving the premises & that the Landlord had given her a months rent to have her remove &c & that on the day of the fire She was heard to say by the affore said Mrs Coneklin "She Thank God She was not living in the House or else they" *The people* "Would say she set fire to it"—on which Mrs C replied I doubt but you are alrely at the bottom of it &c & many other things Mrs Coneklin has said which clearly showes that she ought to be examined before the Comtee in regard to the prisoners

Yours Respectfully

[Signed] Rob^t Reed*In the Matter of Milton Nelson's Application*

Western Addition of the City of San Francisco

Lagoon Pavillion July 12th 1851

Milton Nelson as being a member of the Vigilance Committee

[July 12, 1881]

Mr. Weathered. Statement—Ben's Case

Office 3rd District Police— Came to see about a trunk said to be stolen. Conty \$2000. Mr. Bailey drove up to ask about a package.

Mr. Weathered went up with Mr. Howard—Mr. H. did not wish to let the information go around that the Negro was released from Calabasas—Office let him go to get his coat—on pretense—when Mr. W. took him—I was talking with negro for some time—he made confession as was stated by him today—

[Ben's Case]

To be alluded to immediately on the information of Mr. Brown to Bob Reed he has learned that the Prisoners before the Vigilant Committee (The Black Man & White Woman) That a Mrs. Conklin who lives opposite the Grace Church (or that the Carpenters employed in a building opposite to G Church knows her & can inform where she can be found—That the said Mrs. Conklin can give and has declared to the above named Mr. Brown that the above named White Woman had lived in the house that was set on fire & that the negro had been offered in her company & had got drunk together & that the White Woman had robbed the house of the grocer from the stove & then other injuries to the House on her leaving the premises & that the Landlord had given her a month's rent to have her remove & that on the day of the fire she was heard to say by the negro and Mrs. Conklin "She Thank God she was not living in the House or else they" The people "Would say she set fire to it"—on which Mrs. C replied I doubt but you are already at the bottom of it & many other things Mrs. Conklin has said which clearly shows that she ought to be examined before the Committee in regard to the prisoners

Yours Respectfully

[Signed] Bob Reed

In the Matter of Milton Nelson's Application
Western Addition of the City of San Francisco
Jugum Petition July 12th 1881
Milton Nelson as being a member of the Vigilance Committee

[July 12, 1851]

prays that the . . .³ which he here proposes to become members of our committee, as a branch, for we have property at the Lagoon⁴ and at Spring Valley, and we have had some cases, from time to time, that the authority's did not condemn according to law, and those persons which I have proposed, and myself do not feel safe, in the great struggle now before us, I do think that these men which I propose are worthy of becoming members of our committee

Gen^l Winchester⁵

Mr M Upsum

Col^l Winchester

" C. W. Arnold

Chl^s H. Gough

" A Young

Mr Caston

" James A Good

" Cocran

Milton D. Bentley

Cornelius O'Keefe

[Complaint against Milton Nelson]

No 415 Stephen Bergin Gives information against No 487, Milton Nelson—Says that from information received from a friend who he will produce before the Executive Committee, the said Nelson is a *very disreputable character*, and is unworthy of being a member of the Vigilance Committee

*To the Ex. Committee Commt. of Vigilance**Dalgreen's Letter⁶*Sanfraⁿ 12 July 51To The Ex Com. Comm^e. of Vigilance

Gentⁿ I have rec^d. all my luggage with the exception of the following articles,

5 new fancy Shirts (wrapped up in a Newspaper)

1 pair large Blankets

³ Illegible.

⁴ "The Lagoon, or mountain lake, is situated just beyond the range of hills north of the Presidio . . . and about three and a half miles from the city . . . with an outlet into the outer bay." Report on Mountain Lake Water Company, *Alta California*, Oct. 29, '51.

⁵ None of these names appear in the roll of members, and it is possible that the undated complaint which follows the application influenced the Committee against this proposition.

⁶ See note 8, p. 93.

prays that the ... which he here proposes to become mem-
bers of our committee as a branch, for we have property at the
Lagoon, and at Spring Valley, and we have had some cases, from
time to time, that the authority's did not condemn according to
law, and those persons which I have proposed, and myself do not
feel safe, in the great struggle now before us, I do think that
those men which I propose are worthy of becoming members of
our committee

Genl Winchester,	Mr M. L. Sumner
Col Winchester	" C. W. Arnold
Col H. Gough	" A. Young
Mr Gaston	" James A. Good
" Corwin	Milton D. Bentley
	Commissioner O'Keefe

[Complaint against Milton Nelson]

No 415 Stephen Bering Gives information against No 487.
Milton Nelson—Says that from information received from a
friend who he will produce before the Executive Committee, the
said Nelson is a very respectable character, and is worthy of
being a member of the Vigilance Committee

To the Ex. Committee Comm. of Vigilance
San Francisco's Letter

San Francisco July 12

To The Ex. Comm. of Vigilance
Gent: I have recd. all my baggage with the exception of the
following articles:
5 new fancy shirts (wrapped up in a Newspaper)
1 pair large trousers

Illegible
"The Lagoon, or mountain lake, is situated just beyond the range
of hills north of the town ... and about three and a half miles from
the city ... with an outlet into the water way." Report on Mountain
Lake Water Company, San Francisco, Cal. 1851.
None of these names appear in the bill of materials, and it is possible
that the named complaint which follows the application referred the
Committee against this proposition.
See note B, p. 93.

[July 12, 1851]

1 Rifle

1 large Side of leather—prepared for and used as a Bed Cover.—

Altho I do not think that the above named articles came into your possession, yet I can swear to the fact of their having been amongst my baggage & I submit whether you think I should lose them—if you conclude that you ought not to be held responsible for them well & good, for I have equally as full confidence in your just and equitable feelings, as I have expressed and *honestly feel* in your honor & impartiality—

I volunteered to several members of your Comm^e. my services to aid you, if I could, in your surveillance or detection of criminals—I rec^d. no reply & presumed you did not deem it expedient to avail yourself thereof & accordingly have gone to work—but having a leisure moment & while before you, permit me to make one or two suggestions—

Firstly, I would suggest that the moment a fire occurs, you would throw out a cordon of Boats from Rincon Point to North Beach,⁷ to intercept thieves as from my own personal observation in this harbor, I am convinced that two thirds of property stolen at such times, is carried across the Bay & to the neighboring Islands—I think that Angel Island is, or was, a depôt of the kind, for most of the Boats I noticed, pulled over that way—I think also that North Beach from its position and isolation, has been & probably is yet so used, as well as a place of rendezvous—for this reason,—that when I brought up *Conside*, I came to off North Beach & happening to go out on deck during the night (feeling anxious as the wind was blowing heavy), I always observed at every such time, one or more boats, going or coming from the Beach to small craft anchored well in shore—it will be remembered that this was *the night after Jenkins was hung*, as will be seen by referring to the papers for the arrival of the "*Conside*." In proof of this I will only say that on this same night, I saw a small white Boat pull by me, in which were three men, one with Manacles on, that I watched till well over towards

⁷ From North Beach to Rincon Point included a large part of the line of San Francisco waterfront from north to south.

[July 12, 1851]

I Write

I have Side of leather—prepared for and used as a Bed

Cover—

Altho I do not think that the above named articles came into your possession, yet I am aware to the fact of their having been amongst my baggage & I submit whether you think I should lose them—if you conclude that you ought not to be held responsible for them well & good, for I have equally as full confidence in your just and equitable feelings as I have expressed and honestly feel in your honor & impartiality—

I volunteered to several members of your Comm- my services to aid you, if I could, in your surveillance or detection of criminals—I recd no reply & presumed you did not deem it expedient to avail yourself thereof & accordingly have gone to work—but having a leisure moment & while before you, permit me to make one or two suggestions—

Firstly, I would suggest that the moment a fire steamer you would throw out a cordon of boats from Hinson Point to North Beach, to intercept thieves as from my own personal observation in this harbor, I am convinced that two thirds of property stolen at such times, is carried across the Bay & to the neighboring Islands—I think that Angel Island is or was a depot of the kind, for most of the boats I noticed, pulled over that way—I think also that North Beach from its position and isolation has been & probably is yet so used, as well as a place of rendezvous—for this reason—that when I brought up Canada, I came to off North Beach & happening to go out on deck during the night (feeling anxious as the wind was blowing heavy), I always observed at every such time, one or more boats going or coming from the Harb to small craft anchored well in shore—it will be remembered that this was the night after Jenkins was hung, as will be seen by referring to the papers for the extent of the "Canada". In proof of this I will only say that on this same night, I saw a small white boat pull by me, in which were three men, one with blankets on, that I watched till well over towards

* From North Beach to Hinson Point included a large part of the bay of San Francisco extending from north to south.

[July 12, 1851]

Saucelito—and which from what transpired subsequently, I judge to have been Watkins in charge of some of your Members^s—

Secondly, I would suggest that the Committee should take the matter of sailors deserting from the vessels at night, into hand—it could readily be prevented by 5 or 6 Boats, rowing guard—I am aware that there is a night-guard in operation, but they are not wide awake, as I can prove in my own instance—

There is a man here, named Stevens, who formerly kept the Fremont Family Hotel, who from having been here some time & lived in that particular locality, I think could give you some information about Sydney people—Not that I charge him with any thing, nor that I know aught against him, but solely that I believe he *might probably* from his position as keeper of that establishment & being an Englishman, know of parties of exceptional character—

In mentioning this man, I desire to say particularly that I know of nothing to his disadvantage, nor much of him in any way,—I first saw him some 7 or 8 years ago in New York,—he at that time went away Mate of a Brig to St Mary's, Florida & I subsequently heard that the Brig had been lost or robbed—he told me at that time that he had been some time about Tobasco, Laguna & Yucatan—I have never seen him since till six weeks ago at San Diego—He told me that he had got into some difficulty here &c. He had no money then nor property that I could see—he left there & came up here on the Schr *Elizabeth B*—a short time since—He or a brother of his, is, he told me, interested in the Brig "*Cameo*"

From what I have seen of the man & his general bearing, I think *well of him*, and think that if applied to by the Committee, he would give them such information as he could, that he would not probably not like to *volunteer* to afford—

I would also suggest that the opposite shore of the Bay be visited—

With reference to myself I merely wish to say that the change in my conduct towards the Committee arises *wholly and solely*, from my having seen *what* and *who* it is composed of, Had I

^s See note 5, p. 92.

Sanchezito—and which from what transpired subsequently, I judge to have been Watkins in charge of some of your Members'—

Secondly, I would suggest that the Committee should take the matter of sailors deserting from the vessels at night, into hand—it could readily be prevented by 5 or 6 boats, rowing round—I am aware that there is a night-guard in operation, but they are not wide awake, as I can prove in my own instance—

There is a man here, named Stevens, who formerly kept the Fremont Family Hotel, who from having been here some time & lived in that particular locality, I think could give you some information about Sydney people—Not that I charge him with any thing, nor that I know ought against him, but solely that I believe he might possibly from his position as keeper of that establishment & being an Englishman, know of parties of extraordinary character—

In mentioning this man, I desire to say particularly that I know of nothing to his disadvantage, nor much of him in any way—I first saw him some 7 or 8 years ago in New York—he at that time went away, State of a Brig to St. Mary's, Florida & I subsequently heard that the Brig had been lost or robbed—he told me at that time that he had been some time about Tolson, Laguna & Yucatan—I have never seen him since till six weeks ago at San Diego—He told me that he had got into some difficulty here &c. He had no money then nor property that I could see—he felt there & came up here on the Scher Elizabeth B—a short time since—He or a brother of his, he told me, interested in the Brig "Cameo".

From what I have seen of the man & his general bearing, I think well of him, and think that if applied to by the Committee, he would give them such information as he could, that he would not probably not like to volunteer to afford—

I would also suggest that the opposite shore of the Bay be visited—

With reference to myself I merely wish to say that the change in my conduct towards the Committee arises wholly and solely from my having seen what and who it is composed of, that I

[July 12, 1851]

known at first, matters would never have gone as far in my case as they did—for, now *that I do know*, the Committee Room is the *first place* that I would seek for justice or protection—& I will ever consider it *my duty* while here, to apprise them as they at present think & act, of any thing that may come to my knowledge, which can interest or benefit them—& through them, the community at large—for my heart & head are with them—

Any information relative to the articles mentioned as missing, if left with Mr Tennent, will reach me, as I come on shore mostly every night—

Very Respy Gent

Yr ob^t. sv^t.

[Signed] Th Dahlgrén

To The Ex. Committee

Comm^e of Vigilance

SUNDAY, JULY 13, 1851

MINUTES

Minutes Sunday Afternoon July 13th 1851

At a Meeting of the Ex^e Committee held Sunday afternoon July 13th 1851. Present Payran Huie—Bluxome—Curtis—Graham Ryckman—Bromley

Frances Lebons, was put upon examination for the murder of Francisco Guerro upon the Mission road yesterday afternoon the 12th Inst.¹—

A deputation having been rec^d from the Mission requesting the prisoner to be conveyed to that place for the purpose of identity upon the Coroners Jury, on motion Van Bocklin Cap Wakeman S. Brannan Bluxome and Thos McCahill were

¹ Don Francisco Guerrero, a resident of the Mission, met his death, July 12, while returning to his home on horseback. Suspicion rested on a Frenchman, Francois Le Bras, with whom he was riding, and the latter was arrested and taken to the rooms of the Committee, but allowed to appear before the coroner at the time of the inquest. There was some evidence that Guerrero had fallen from his saddle while racing with his companion, and after a thorough examination, the Committee gave the prisoner over to the authorities July 17 (p. 291). His trial resulted in an unhesitating acquittal. See *S. F. Herald*, July 14, 18, and *Alta California*, Nov. 16.

[July 12, 1881]

known at first, matters would never have gone as far in my case as they did—for, now that I do know, the Committee Room is the first place that I would seek for justice or protection—and I will ever consider it my duty while here, to appear there as they at present think it not of any thing that may come to my knowledge which can interest or benefit them—and through them, the community at large—for my heart is bound up with them—

Any information relative to the articles mentioned as missing, if left with Mr. Tarrant, will reach me, as I come on shore nearly every night—

Very Respectfully

Yr. ob. sv.

[Signed] Th. Davidson

To The Hon. Committee

Committee of Vigilance

Sunday, July 12, 1881

MINUTES

Minutes Reading Alfordson July 12th 1881

At a Meeting of the Hon. Committee held Sunday afternoon July 12th 1881 Present Taylor, Hines, Blumensaat, Curtis—Graham, Robinson—Absent

Francis Lebowitz was put upon examination for the murder of Francisco Guerrero upon the Mission road yesterday afternoon the 12th Inst—

A deposition having been read from the Mission respecting the prisoner to be conveyed to that place for the purpose of identifying upon the Thompsons' farm, on motion Van Hooklin, Cap. Wakeman, S. Hunsman, Blumensaat and Thos. McCollin were

Don Francisco Guerrero, a resident of the Mission, met his death July 12, while returning to his home on foot. Guerrero rested on a bench, Francisco Lebowitz, with whom he was riding, and the latter was arrested and taken to the room of the Committee, but allowed to appear before the committee at the time of the hearing. There was some evidence that Guerrero had fallen from his saddle while riding with his companion, and after a thorough examination the Committee gave the prisoner over to the authorities July 17, 1881. His trial resulted in an unqualified acquittal. See A. B. Howell, July 12, 1881 and the California Nov. 18.

[July 13, 1851]

appointed a Committee to convey the prisoner there & to return him after the examination to the Committee Room²—

About 11 OClock the above Committee returned him to the Room in Safety with all papers, after which the Ex Committee adjourned

[Signed] W^m C GrahamSect^y

MISCELLANEOUS PAPERS

[Complaint of Mr. Quilfelt]

Mr Quilfelt watchman corner Montgomery & Commercial St complains of an attack upon him by three men last evening & that when he asked a police officer to arrest them he informed him that he must get out a warrant—one of the three is named Gerham.—

This is the Second complaint of a similar character to day—

[This note is written in pencil on a small, ragged piece of paper. On the back, in ink, appears the following memorandum]

John Mallett A Bartoll By John T Smith 209

July 13/51

Aaron Dow. Sacramento July 13/51

These papers relate to the Counterfeiters

Sacramento July 13th/51

Mr Brannan

Dear Sir Your name is the only one in the San Francisco Vigalence Committee with which I am acquainted, so I address this note to you

I have at my house an Englishman who is very sick. On hearing of the hanging of Stewart, tells this story; which may be of some service to your Committee so I give it as he has to me.

He says, There is a man in San Francisco, an Englishman who Came from London whose name he has forgotten, or rather the one by which he was known in London, that Shipt 800 lb of Mashenery at London, for San Francisco, for the purpose of counterfitting the American Coin. That previous to his leaving London, he had introdused to him a man by the name of Walk, who came in the Ship *P. Royal* as passenger (a Sydney chap)

² See voucher No. 73, p. 789.

appointed a Committee to convey the prisoner there & to return him after the examination to the Committee Room.—
About 11 O'clock the above Committee returned him to the Room in which with all papers after which the Ex Committee adjourned

[Signed] Wm C Graham
Secy

MIRACULOUS TAPERS
[Complaint of Mr. Graham]

Mr. Graham, watchman corner Montgomery & Commercial St complains of an attack upon him by three men last evening & that when he asked a police officer to arrest them he informed him that he must get out a warrant—one of the three is named Graham—

This is the second complaint of a similar character to day—
[This note is written in pencil on a small, ragged piece of paper. On the back, in ink, appears the following memorandum]

John Mallett A. Bartlett By John T Smith 209
July 13-51

These papers relate to the Committee
San Francisco July 13-51

Mr. Brannan
Dear Sir Your name is the only one in the San Francisco Vigilance Committee with which I am acquainted, so I address this note to you

I have at my house an Englishman who is very sick. On hearing of the hanging of Stewart, tells this story: which may be of some service to your Committee as I give it as he has to me. He says, There is a man in San Francisco an Englishman who came from London whose name he has forgotten, or rather the one by which he was known in London that night 200 is at Mather's at London, for San Francisco, for the purpose of counterfeiting the American Coin. That previous to the hanging London, he had introduced to him a man by the name of Wall, who came in the Ship P. Hunt as passenger (a Sydney ship)

[July 13, 1851]

whose Passage was Paid £25: simply because he was a great genius at counterfitting Coins—that he had counterfitted the English Coin so exactly, with 30 per cent alloy, that the officers of the Mint could not detect it

This sick mans name is Hall. Appears to be, and no doubt is, a very honest. his mind is weak, but thinks he will be able to remember the mans name soon who, between the time that he left London and the arrival of his freight in the *Royal*, changed his name, and on his (Halls) arrival, found he went by the name of Col—[. . .] Wears a white Hat If desirable, no doubt you can get the names by calling on the Capt of the Ship "*Princes Royal*" in San Francisco harbor.

He also says, that this Walker told him that there were 1500 men in that City combined together for the purpose Stealing & Robing when and wherever an opportunity presented. This Walker left Sydney and arrived in London by the way of India—thinks he has been sentenced to Sydney twice or three times by the Courts of England.

As soon as he thinks of this Col's name, I will send it to you. I beg you will not make this note public or I may come under the lash of these villins

Respectfully

Yours in great haste

[Signed] Aaron Dow

K. St. between 2^d & 3^d

[*Report of 537, V. C. B. F. Hanna*²]

"A man named McCurdy, who came passenger in the British bark *Princess Royal*, from London, has now in the United States Appraiser's Office 800 pounds of apparatus and false dies for counterfeiting the different silver and gold coins of the United States. This man is accompanied by a man named Walker. The dies, etc., will be shown to any of the Committee who may be pleased to call upon the officers of customs at the appraiser's store, California street; and they will also give a description of Mr. McCurdy."⁴

³ This report, missing from the files, is reprinted from Baneroff's *Popular Tribunals*, I, 302.

⁴ See report on the dies, p. 372.

[July 14, 1851]

MONDAY, JULY 14, 1851

MINUTES

Minutes Monday Morning July 14th 1851

At a Meeting of the Ex^e Committee held on Monday afternoon July 14th 1851 @ 1 P. M. Present Payran—Oakes—Schenck—Bluxome—Graham—Curtis—Wadsworth

On motion that in the matter of Berdew alias Stuart the Committee report that the Sect^y of the Executive Committee be instructed to write to the Authorities setting forth the Evidence in said case, without further instructions—

In the matter of Sam Whittaker, Capt Ryder is ordered to proceed and arrest him at Stockton

In the matter of Belcher Kay, Mr Cartwright ordered to proceed and arrest, his letter to be taken into consideration after in Custody.

Testimony of Lane & Duhy taken in the case of Gueuro—Evidence of Green taken in relation to Stuart's associate—

No further business adjourned to meet at 8 OClock P. M.

[Signed] W^m C Graham Secty

Minutes Monday Evening July 14th 1851

At a Meeting of the Executive Committee on Monday Evening July 14th 1851. Present Payran. Schenck Bluxome Ryckman J. C. Ward Wadsworth Brindley M^c Cahill

Ellis Curtis Bromley Oakes Woodsworth Graham

Further evidence in the case of Le Bras was gone into & recorded—

The French Consul was introduced into the Committee room & the prisoner having been produced he went into an examination by the Consul.¹ the prisnor having been withdrawn—the Consul requested the loan of the examination of the documents taken in the Case—whereupon a motion was made & carried allowing him the loan of the same to be returned tomorrow morning—

Certain papers were rec^d & filed relative to R N Morrison

On motion adjourned to meet at 10 OClock tomorrow Morning

[Signed] W^m C Graham Secty

¹ Patrice Dillon was the French Consul at this time.

Monday, July 14, 1851

MINUTES

Minutes Monday Morning July 14th 1851.

At a Meeting of the Ex. Committee held on Monday afternoon
July 14th 1851 @ 1 P. M. Present Payson—Oakes—Schuback
—Blaxome—Graham—Curtis—Wainwright

On motion that in the matter of Berdew alias Stuart the
Committee report that the Secy of the Executive Committee be
instructed to write to the Authorities setting forth the Evidence
in said case, without further instructions—

In the matter of Sam. Whitaker, Capt. Ryder is ordered to
proceed and arrest him at Stockton

In the matter of Richard Kay, Mr. Cartwright ordered to pro-
ceed and arrest, his letter to be taken into consideration after in-
quiry.

Testimony of Isaac A. Burt taken in the case of Gurnee—
Evidence of Green taken in relation to Stuart's associate—
No further business—adjourned to meet at 8 O'clock P. M.
[Signed] W. C. Graham Secy

Minutes Monday Evening July 14th 1851

At a Meeting of the Executive Committee on Monday Even-
ing July 14th 1851. Present Payson. Schuback. Blaxome.

Hyckman. J. C. Ward. Wainwright. Bridgely. M. C. Smith.
Ellis. Curtis. Bromley. Oakes. Woodworth. Graham.
Further evidence in the case of Is. Burt was given into &
recorded—

The French Consul was introduced into the Committee room
& the prisoner having been produced he went into an examination
by the Council. The prisoner having been withdrawn—the Council
reopened the item of the examination of the documents taken
in the Case—whereupon a motion was made & carried allowing
him the loan of the same to be returned tomorrow morning—

Certain papers were now filed relative to B. N. Morrison.
On motion adjourned to meet at 10 O'clock tomorrow Morn-

[Signed] W. C. Graham Secy

Patrice Dumas was the French Consul at the time

[July 14, 1851]

MISCELLANEOUS PAPERS

[*Letter from T. B. Kay*]

["From Sacramento, the 13th of July, Mr. Kay wrote the San Francisco Vigilance Committee as follows:"²]

Being informed that certain grave charges have been preferred against me by the man Stuart, and that you wish to try me on said charges, I now state to you that I am ready and willing to meet the same, and will voluntarily deliver myself up the moment you may send for me, trusting to your honor for a fair and impartial trial, and beg of you to secure for me as counsel Geary Austin, Esq.

Very respectfully,

T. B. Kay.

E. G. Austin in relation to Belcher Kay

San Francisco N° 6 Wells & Co's Building.

July 14th 1851

To the Executive Committee & the Members of the Vigilance Committee of the City of San Francisco

Gentlemen From verbal information received by me this day I learn that Mr T Belcher Kay has addressed a letter to your association in which he proposes to engage me to appear before you as his legal Counsel.

Having had the pleasure to act as the adviser of the Executive Committee and of some of the members of the General Committee in their official positions I take the liberty to say to you that Mr Kay's reference to me is without my knowledge or consent and that I shall not appear as his counsel at any time or place.

I am respectfully &c

Yr Obt St

[Signed] E G Austin

S L Haven Sacramento 14th July 1851

Sacramento City July 14/51

To the Executive Committee of the Vigilance Committee

Gent Mr Bond has already told you of the arrangement that

² This letter, missing from the files, is reprinted from Bancroft's *Popular Tribunals*, I, 370.

[July 14, 1881]

MISCELLANEOUS PAPERS

[Letter from T. B. Kay]

[From Sacramento, the 13th of July, Mr. Kay wrote the San Francisco Vigilance Committee as follows:—]

Being informed that certain grave charges have been put forth against me by the man Stuart, and that you wish to try me on said charges, I now state to you that I am ready and willing to meet the same, and will voluntarily deliver myself up the moment you may send for me, trusting to your honor for a fair and impartial trial, and beg of you to secure for me as counsel

Gentry Austin, Esq.

Very respectfully,

T. B. Kay.

E. G. Austin in relation to Belcher Kay

San Francisco No 8 Wells & Co. Building

July 14th 1881

To the Executive Committee & the Members of the Vigilance

Committee of the City of San Francisco

Gentlemen From verbal information received by me this day I learn that Mr. T. Belcher Kay has addressed a letter to your association in which he proposes to engage me to appear before you as his legal counsel.

Having had the pleasure to act as the adviser of the Executive Committee and of some of the members of the General Committee in their official positions I take the liberty to say to you that Mr. Kay's reference to me is without my knowledge or consent and that I shall not appear as his counsel at any time or place.

I am respectfully &c

Yr Obedt

[Signed] E. G. Austin

E. G. Austin Sacramento 14th July 1881Sacramento City July 14th 81

To the Executive Committee of the Vigilance Committee

Gent. Mr. Hunt has already told you of the arrangement that

*This letter, missing from the files, is reported from Hunt's Popular Tribune, I, 312.

[July 14, 1851]

I had made with B Kay to produce him before your body, if the other committee had not come up, he would now have been with you, a Mr Hasson³ of that committee I am told informed Kay of such things that this morning he has obtained the protection of the civil authorities. the Mayor has written a letter to the Mayor of S. F. by Freeman to day, another report is that he has taken horses and started for S. F. to give himself up to Col Hays the last I do not believe, I believe he has broken his parole, and I shall arrest him the first opp'y. awaiting your orders by this nights boat I remain respy Yours

[Signed] S L Haven

Deputy Marshall V C

Half past three P. M.

P. T. O.

I have just been informed from the Mayor that he has written a letter to the Mayor of S. F. and if he applies for Kay he can have him, he has left town and may have gone to Benecia. Keep a lookout on the Stockton boats

S L H

The Mayor says no one can see him before this boat leaves at any rate.

[*Evidence of Green in Relation to Stewart's Associate*]

Alfred A Green I think I know the man at the mission described in the Confession of Stewart as the man who was about to rob the house of some Spaniard—Between 2 & 3 years ago I was proprietor & owner *Aguilla do Oro*—at times I had from 80000 to 100000\$ deposited with me from the various Gambling Banks I had two bar Keepers—one was my brother and the other was a man named Peter Thompson—I saw there was something on his mind Thompson for several days—I asked him what was the matter with him?—he told me his life was in danger if he told me—he finally promised to tell me if I would not reveal it—he then told me as follows—

That George Leonard had proposed to him to rob the safe in the tent—stated that he had several to help him—and that they would give him a large share—and in case my brother should

³ J. C. Hasson, V. C. No. 229.

would give him a large share—and in case my brother should the fact—that he had agreed to help him—and that they

That George Leonard had proposed to him to rob the safe in reveal it—he then told me as follows—
get it he told me—he finally promised to tell me if I would not what was the matter with him?—he told me his life was in danger on his mind. Thompson for several days—I asked him other was a man named Peter Thompson—I saw there was some—
Banks. I had two hot reports—one was my brother and the 20000 to 100000 deposited with me from the various Gambling was proprietor & owner of the house of Green—at times I had from to rob the house of some Spaniards—between 2 & 3 years ago I described in the Confession of Stewart as the man who was about Alfred A Green. I think I knew the man at the mission [Evidence of Green in Relation to Stewart's Assassination]

at any rate.

The Mayor says no one can see him before this post leaves

S. H.

a lookout on the Stockton boats
have him, he has left town and may have gone to Reno. Keep a letter to the Mayor of S. F. and if he applies for Key he can I have just been informed from the Mayor that he has written

E. T. O.

Half past three P. M.

Deputy Marshall V. C.

[Signed] S. H. Hanson

orders by this night's post. I remain respy Yours
parole, and I shall arrest him the first opp'y. awaiting your Col Hayes—the last I do not believe, I believe he has broken his he has taken horses and started for S. F. to give himself up to to the Mayor of S. F. by Freeman to day. another report is that Key of such things that this morning he has obtained the pro- section of the civil authorities. the Mayor has written a letter with you, a Mr. Hanson, of that committee I am told informed the other committee had not come up, he would now have been I had made with B. Key to produce him before your body, if

[July 14, 1851]

awake that they would manage him—I manage to get rid of Leonard by kicking up a row with him and would not allow him to come into my tent during the day or night—shortly after this Leonard left town and I did not see him for one year—The next I heard of him he was arrested with one Tom Edwards for stabbing one Spaniard—I understand he managed to get clear—I have seen him for the last month about the bakers at the Mission—he has been at my house a number of times during the last month—I saw him yesterday in disguise at my house

[Signed] Alfred A Green

Pavillion

San Francisco July 14. 1851

Joseph A Wilbur, Sheriff Butte Co. Description of Davis the Horse Thief. July 14, 1851

Hamilton City. Butte County, Cal

July 14, 1851

To Samuel Brannan Esq^r.

President of the Vigilance Com.

San Francisco, Cal. Sir I send you a description of a notorious and base Scoundrel and Horse Thief by the name of *Davis*, who escaped from my custody a few days since by sawing off his chains with a Butcher Knife, perhaps handed to him for the purpose by some unknown person—This man has been guilty of so many base acts, and is such a pest to the community, that we are anxious to recapture him and mete out to him what he so justly deserves; and any assistance you or any of your honourable and gentlemanly Committee can render in retaking him will be highly Appreciated by myself and this whole Community

Should you meet with him please notify me of the fact, as our Jail, perhaps the most secure in the State, is now finished and I feel sure that I can safely keep *any man*.

Description—5 feet 8 in high

Dark complex. Dark hair & long—Dark eyes Nose large and little Roman—little or no beard—Sunken features—down look—cannot look one in the face very filthy in his appearance—chews Tobacco incessantly Speaks Spanish very fluently—his right hand looks as tho it was deformed—the fingers very

[July 14, 1881]

always that they would manage him—I manage to get rid of Leonard by kicking up a row with him and would not allow him to come into my tent during the day or night—shortly after this Leonard left town and I did not see him for one year—The next I heard of him he was arrested with one Tom Edwards for kidnapping one Spemann—I understood he intended to get clear—I have seen him for the last month about the docks at the Mission—he has been at my house a number of times during the last month—I saw him yesterday in disguise at my house

[Signed] Alfred A. Green

Portland

San Francisco July 14, 1881

Joseph A. Wilson, Sheriff, State Co. Description of Bonds the
Horse Thief, July 14, 1881
Hamilton City, Bonds County, Cal
July 14, 1881

To Samuel Bennett Esq.

President of the Vigilance Com.

San Francisco, Cal. Sir: I send you a description of a notorious and base scoundrel and Horse Thief by the name of Davis, who escaped from my custody a few days since by switching off his chains with a butcher knife, perhaps handed to him for the purpose by some unknown person—This man has been guilty of so many base acts and is such a pest to the community, that we are anxious to deprive him and make out to him what he so justly deserves, and any assistance you or any of your honorable and gentlemanly Committee can render in relating him will be highly appreciated by myself and this whole Community. Should you need with him please notify me of the fact, as soon as possible, perhaps the next session in the State, is now finished and I feel sure that I can catch him any day.

Respectfully—J. A. Wilson

Dark country, dark hair & face—Dark eyes, nose large and little brown—little or no beard—Southern features—dark back—cannot talk me in the face—very high in his opinion—shows tobacco—shows tobacco—very dark—his right hand looks as tho it was deformed—the fingers very

[July 14, 1851]

wide apart and unusually short—do not recollect whether the left is so or not—

Very respectfully yours

[Signed] Joseph Wilbar
Sheriff of Butte Co.

[Addressed:]

To the Extv. Committee of the Committee of Vigilance
San Francisco Cal

[Letter from Captain Harris]

San Francisco 14th July 1851

Sirs

I am about to leave this Port, and I hereby authorise the bearer Mr James Mc Eachern to call upon you and receive on my account the indemnification you promised me for my watch & chain which I estimate at \$100.

I am Sir

Your Obt Servt

[Signed] I Harris⁴

To the Executive Committee of Vigilance

[Addressed:]

To The Executive Committee of Vigilance
San Francisco

Statement of Britton F Jones. July 14th 1851

Britton W Jones. States that the evening after the extra of the *Herald*—Edwards & Osmand vacated the town & returned yesterday & left this day for Monteray—Osmands woman is left in Town to settle some property—She is to join them at Monteray for other parts—(resides at North Beach⁵).—

Mrs Gillard's information about Lewis, from C C. Richmond.

July 14th 1851

Mrs Gillard says that her cook can swear to Lewis's setting fire to her kitchen—information from C. C. Richmond.

⁴ See note 6, p. 147.

⁵ See Jones' signed statement, p. 286.

San Francisco Committee of Vigilance of 1851 279
[July 14, 1851]

wide apart and unusually short—do not recollect whether the
left is so or not—

Very respectfully yours

[Signed] Joseph Wilbur
Scribe of Battle Co.

[Addressed:]

To the Ex-Com Committee of the Committee of Vigilance
San Francisco Cal

[Letter from Captain Harris]

San Francisco 14th July 1851

Sir

I am about to leave this Port, and I hereby authorize the
bearer Mr James M. Eads to call upon you and receive on my
account the indemnification you promised me for my watch &
chain which I estimate at \$100.

I am Sir

Your Obedt Servt

[Signed] J Harris

To the Executive Committee of Vigilance

[Addressed:]

To the Executive Committee of Vigilance

San Francisco

Statement of Britton W. Jones July 14th 1851

Britton W Jones States that the evening after the attack of
the Herald-Edwards & Gannett visited the town & returned
yesterday & left this day for Monterey—Gannett's woman is left
in town to sell the same property—She is to join them at Monterey
for other parts—(written at North Beach)—

Mr Gillard's information about Lewis from C. C. Richmond

July 14th 1851

Mr Gillard says that her cook can swear to Lewis's setting
fire to her kitchen—information from C. C. Richmond.

* See note p. 147.

* See Jones' signed statement, p. 281.

TUESDAY, JULY 15, 1851

MINUTES

*Minutes Tuesday Evening July 15th 1851*Executive Chamber July 15th 1851 8 O'clock P. M.

Present Bromley Gorham Col Huie Ward Ellis
Schenck Curtis Woodsworth Wadsworth Brindley
Turner Payran

After Meeting being called to order—

On motion *resolved* that a Committee of four be deputed by the chairman to proceed on board the Ship *Adirondack* to examine the Passengers. Bluxome Brindley, Woodsworth and McCahill were appointed,¹

A guard of Ten appointed to take charge of the Ship during examination

On motion of Mr Ward, Charles McDonald who was arrested for Jenmy from Town, was discharged on the ground that he was the wrong man;

Report of Mr McDuffee in relation to pursuit of Sam Whitaker received & filed

Letter of introduction introducing Mr Holden received & filed

In the matter of Capt Harris, claim for Watch, Capt Harris appeared signed a statement, after which Capt Harris was discharged from further consideration

Ordered that Taft be given over to the authorities

[Signed] S. Payran

Presdt of Ex. C

Action of General Committee[Selim Woodworth in Chair²]

Carried Report of Ex Com

¹ The ship *Adirondack*, Capt. Gillespie, arrived from Sydney July 16. The Committee's list shows a total of 256 passengers, and of these 138 were examined in detail as to their antecedents and character. Ten were considered with suspicion, having sailed from England to Sydney on convict ships, but six of this number were discharged when they positively denied that they were prisoners at the time.

² A fragmentary draft of the minutes of this meeting named Woodworth as chairman, and gave sufficient data to indicate the place of the more complete, but undated record.

TUESDAY, JULY 15, 1881

MINUTES

Minutes Tuesday Evening July 12th 1881
Executive Chamber July 12th 1881 8 O'CLOCK P. M.
Present: Bromley, Gordon, Co. Hunt, Ward, Ellis,
Schreck, Curtis, Woodworth, Brindley, Brindley,
Turner, Tipton

After Meeting being called to order—

On motion resolved that a Committee of four be deputed by the chairman to proceed on board the ship Liberator to examine the Passengers: Brindley, Brindley, Woodworth and McCabill were appointed.

A guard of Ten appointed to take charge of the ship during examination

On motion of Mr. Ward, Charles McDonald was arrested for loitering from town, was discharged on the ground that he was the wrong man;

Report of Mr. H. D. Hester in relation to pursuit of Sam Webb later received & filed

Letter of introduction introduced Mr. Holden received & filed

In the matter of Capt. Harris claim for Walsh Capt. Harris appeared & stated a statement after which Capt. Harris was discharged from further consideration

Ordered that Tait be given over to the authorities

[Signed] S. P. Tipton

Pres. of R. C.

Minutes of Executive Committee

[Edwin Woodworth in Chair]

Carried Report of R. C. Tipton

The ship Liberator, Capt. Hester, arrived from Boston July 12. The Committee's list shows a total of 200 passengers, and of these 120 were examined in detail as to their antecedents and character. The same considered with suspicion, having called from Boston to Seattle on the ship, but six of this number were discharged when they positively denied that they were passengers at the time.

A fragmentary draft of the minutes of this meeting named Woodworth as chairman, and gave sufficient data to indicate the place of the more complete, but omitted record.

[July 15, 1851]

In the Matter of Hamilton Taft

" " " " Francis Le Bras

The Interview with the Governor,³

Report in relation to sending a Committee to organize throughout the State;

Publication of Evidence & Confession of Stuart disclosing the names of all parties implicated

Publication of Evidence against Goff also his confession, with Goffs correspondence with Mrs Wildred [Windred]

What action shall be taken in the matter of Berdue

Prison Committee be desired to report to Ex. Committee at 12 tomorrow—

Petition of Goff, be laid on table.

Refused to reconsider Petition of Goff.

MISCELLANEOUS PAPERS

In the Matter of Le Bra's

Report of the Executive Committee of the Committee of Vigilance of San Francisco

That In the Matter of Francis Le Bra's they have been taking testimony for & against the Prisoner since Six O'clock P. M. of Sunday the 13th inst to the present time, that said Testimony does not tend to convict said Prisoner

To day the Sheriff of the City and County of San Francisco with his Posse Comitatus, and Writ to Arrest said Le Bras called on Committee for the Prisoner, your Committee informed the Sheriff that after the Committee had acted on the case they would determine what disposition they would make of it

Your Committee are of opinion that notice should not be taken of the Writ, and if it should be thought advisable to submit the case for trial at Court by the Authorities, to do so of their own free will and accord, and keep the Custody of the Prisoner

Executive Chamber July 15th 1851

[Signed] S. Payran Presdt of Ex. C

³ There are no details of this interview with the governor, but it may have been connected with an open letter issued by McDougal on the 21st, in which he deprecated the increasing tendency to organize committees of vigilance and to invest them with unlawful functions and authority. Printed in Baneroft's *Popular Tribunals*, I, 332.

In the Matter of Hamilton Taft
" " " " Francis Le Brun
The Interview with the Governor,
Report in relation to sending a Committee to organize through-
out the State;
Publication of Evidence & Confession of Stuart disclosing the
names of all parties implicated
Publication of Evidence against Goff also his confession, with
Goff's correspondence with Mrs. Winchell [Winchell]
What action shall be taken in the matter of Herndon
Prison Committee be desired to report to Ex. Committee at
12 tomorrow—
Petition of Goff, be laid on table.
Refused to reconsider Petition of Goff.

MISCELLANEOUS MATTERS

In the Matter of Le Brun's
Report of the Executive Committee of the Committee of
Vigilance of San Francisco
That in the Matter of Francis Le Brun they have been taking
testimony for & against the Prisoner since Sir O'Clock Y. M. of
Sunday the 13th inst to the present time, that said testimony does
not tend to convict said Prisoner
To day the Sheriff of the City and County of San Francisco
with his Peace Commissioner and Writ to Arrest said Le Brun called
on Committee for the Prisoner, your Committee informed the
Sheriff that after the Committee had acted on the case they
would determine what disposition they would make of it
Your Committee are of opinion that notice should not be taken
of the Writ, and it is thought advisable to submit the
case for trial at Court by the Authorities to do so of their own
free will and accord, and keep the Custody of the Prisoner.

Respectfully Submitted July 12th 1851

[Signed] A. Taylor President of Ex. C.

There are no details of this interview with the governor, but it may
have been summarized with an open letter issued by McDonald on the 11th,
in which he deprecated the necessity of vigorous prosecution
of vigilance and to insert there with selected questions and answers.
Printed in Macmillan's Register, Vol. 1, p. 122.

[July 15, 1851]

A J M^cDuffee, Introduction of E S Holden

Stockton July 15. 1851

To the Executive Committee of the Committee of Vigilance San
Francisco

Gentlemen This together with the enclosed will be handed to you by Mr. E. S. Holden of the Committee of Vigilance of this place. He has been very prompt in rendering us assistance to further our object in visiting this place, and is a warm friend and supporter of our cause. I have no doubt by making him familiar with the perfection of our organization it may be of much service to the organizations in this section of the Country

As the request of any civilities to him, which will be promptly shown, are unnecessary

I subscribe myself

Your Obt Servant

[Signed] A. Jackson M^cDuffee

[Addressed:]

To the Executive Committee of the Committee of Vigilance
Battery St below California St
San Francisco Ca

Introducing E. S. Holden Esqr.

A J M^cDuffee. Stockton 15 July 1851

[Case of Sam Whittaker]

Stockton Tuesday A.M. July 15. 1851

To the Executive Committee of the Committee of Vigilance San
Francisco

Gentlemen, Mr Rider Mr Reynolds and myself arrived here this A.M. We have consulted the Officers of the V. C. of this place and from all the information in our possession we have good reason to believe we shall find our man at the "Chinese Diggins" about 8 miles this side of Sonora. We propose leaving here this evening and take advantage of the cool of the night to reach that place at an early hour tomorrow A. M. When we hope to have him in our hands. Should he not be there other means will be taken in hand to find him should he be in that portion of the country, (of which fact there is no doubt) Rest assured that everything will be done to bring the person in ques-

[July 12, 1881]

A. J. M. Duffee, Introduction of E. S. Holden

Stockton July 12, 1881

To the Executive Committee of the Committee of Vigilance San

Francisco

Gentlemen: This together with the enclosed will be handed to you by Mr. E. S. Holden of the Committee of Vigilance of this place. He has been very prompt in rendering us assistance to further our object in visiting this place, and is a warm friend and supporter of our cause. I have no doubt by making him familiar with the position of our organization it may be of much service to the organization in this section of the country. As the request of any civilities to him, which will be promptly shown, are unnecessary.

I subscribe myself

Your Obedt Servant

[Signed] A. Jackson M. Duffee

[Addressed:]

To the Executive Committee of the Committee of Vigilance

Battery St below California St

San Francisco Ca

Introducing E. S. Holden Esq.

A. J. M. Duffee, Stockton July 12, 1881

[Care of Sam W. Walker]

Stockton Tuesday A. M. July 12, 1881

To the Executive Committee of the Committee of Vigilance San

Francisco

Gentlemen: Mr. Bishop, Mr. Reynolds and myself arrived here this A. M. We have consulted the Officers of the V. C. of this place and from all the information in our possession we have good reason to believe we shall find our man at the "Chinese Diggins" about 2 miles this side of Stockton. We propose leaving here this evening and take advantage of the end of the night to reach that place at an early hour tomorrow A. M. When we hope to have him in our hands. Should he not be there other means will be taken to find him should he be in that portion of the country (of which fact there is no doubt). That assured that everything will be done to bring the person in ques-

[July 15, 1851]

tion before you and look for our return at a late hour Friday night. We require *no guard* to meet us at the boat as we can make our private arrangements if necessary—The Committee of Stockton have rendered us every assistance to further our object and will give us such individual assistance as we may want. I am informed by them that the Committee at Sonora will be found prompt and efficient in case we want them. Hoping we may be more successful than the Sacramento Expedition

I have the honor to be

Very Respectfully Your Obt Servt

[Signed] A. J. McDuffee

for Committee

[Addressed:]

To the Executive Committee of the Committee of Vigilance

Battery Street below California St

San Francisco Ca

Pr. E. S. Holden Esq

[*Resolution in relation to sending a Committee to organize throughout the State*]

Resolved That a Committee of three be appointed who shall proceed on to the principal Cities of the State where Vigilance Committees have been organized, and confer with them on the objects of our formation present them with a copy of our Constitution and Bye Laws, and make such arrangements with them, as will carry out the measures, we contemplate; in perfect unison, said Committee will also assist the Citizens of those Cities in which they have not organized to state the importance of doing so [and] to organize, Members of this Committee will much assist their Committee by writing by their Committee to all their principal friends in the Cities and Towns of the State asking of them their Aid in accomplishing the great end of our Institution,

Resolved further that Committees of Correspondence be established by all of the Committees, through whom each shall be kept advised of every matter of importance⁴—

⁴ This resolution is in the writing of Stephen Payran. No further allusion is made to such a committee of organization as is here suggested.

SAN FRANCISCO COMMITTEE OF VIGILANCE OF 1851 - 283
[July 15, 1851]

tion before you and look for our return at a late hour Friday night. We require no guard to meet us at the boat as we can make our private arrangements if necessary.—The Committee of Stockton have rendered us every assistance to further our object and will give us such individual assistance as we may want. I am informed by them that the Committee at Sonoma will be found prompt and efficient in case we want them. Hoping we may be more successful than the Sacramento Expedition.

I have the honor to be

Very Respectfully Your Obedt Servt

[Signed] A. J. McDuffee

for Committee

[Addressed:]

To the Executive Committee of the Committee of Vigilance

Battery Street below California St

San Francisco Ca

Pr. E. S. Holden Esq

[Resolution in relation to sending a Committee to organize

throughout the State]

Resolved That a Committee of three be appointed who shall proceed on to the principal Cities of the State where Vigilance Committees have been organized, and confer with them on the objects of our formation present them with a copy of our Constitution and Bye Laws, and make such arrangements with them, as will carry out the measures we contemplate; in perfect union said Committee will also seek the Citizens of those Cities in which they have not organized to state the importance of doing so [and] to organize. Members of this Committee will seek assist their Committee by visiting by their Committee to all their principal branches in the Cities and Towns of the State asking them their aid in accomplishing the great end of our Institution. Resolved further that Committee of Correspondence be established by all of the Committees through whom each shall be kept advised of every matter of importance.

* This resolution is in the writing of Stephen Foster. No further allusion is made to such a committee of organization as is here suggested.

[July 15, 1851]

[Letter from William Fitzpatrick of New Town]

New town July the 15—1851

To the Cheif of Vegelance police St Francisco

Whereas a man named Joseph Steward has left the town of new town on the night of the 14th instant and stolen a mule and caried away a sum of money belong to William Fitzpatrick and others in whoes Bakery he was employed as a Baker. William Fitzpatrick will be thankful if the said man should come under the eyes of the police to have him arrested he is about five feet five high dark complection rather Broad set about 30 years of age has been in Mexico and perrue for several years speaks a little Spanish round features. a Scotchman by Birth and rather pleasant Laughing countenance fast talking, when this fellow come to new town he was without money W^m F furnished him with money vittule &c and took a Bakery for hire furnished everything necessary for carrying it on the fellow ran away with the products of one month having first purchased a mule from the Cash on hand for the occasion which he Bought in the name of M^r F Several of the inhabitants turned out to look for him this morning but without efect it is thought he left with another [man] for St Francisco

[Signed] William Fitzpatrick

To the Editor of the *Alta California*⁵

[Addressed:]

To the Editor of the *Alta California*
St Francisco*Statement of Boden July 15th 1851*

Richard Boden, resides at Clarks Point on Board *the Treaty* —July 15th 1851, a young man by the name of John Williams, alias Taffe, came down from the mines (he was formerly a waterman at Clarks Point) he came into the House called the Snug Harbor, near Cunningham Wharf, in Battery Street, it is kept by Samuel Moore, I recognized Williams and we spoke together, after a few minutes talk he asked me to drink with him and stand the treat; we sat down together and had some conversation

⁵ This letter did not appear in the *Alta California*.

[July 12, 1851]

[Letter from William Fitzpatrick of New Town]

New Town July 12—1851

To the Chief of Vigilance Police St Francisco

Whereas a man named Joseph Steward has left the town of New Town on the night of the 14th instant and stolen a mule and carried away a sum of money belong to William Fitzpatrick and others in whose Bakery he was employed as a Baker. William Fitzpatrick will be thankful if the said man should come under the eyes of the police to have him arrested he is about five feet five high dark complexion rather broad set about 30 years of age has been in Mexico and Peru for several years speaks a little Spanish round features a Scotsman by birth and rather pleasant laughing countenance last talking when this fellow came to New Town he was without money.

W. F. furnished him with money within 24 and took a Bakery for him furnished everything necessary for carrying it on the fellow ran away with the product of one month having just purchased a mule from the Cash on hand for the occasion which he bought in the name of Mr. F. Several of the inhabitants turned out to look for him this morning but without effect it is thought he left with another [man] for St Francisco.

[Signed] William Fitzpatrick

To the Editor of the Alta California

[Addressed:]

To the Editor of the Alta California

St Francisco

Statement of Robert July 12th 1851

Richard Hobbs residing at Clark's Point on Toward the Treaty—July 12th 1851, a young man by the name of John Williams alias Tallie came down from the mines (he was formerly a water-man at Clark's Point) he came into the House called the Swan Harbor near Cunningham Wharf in Battery Street, it is kept by Samuel Moore I recognized Williams and we spoke together after a few minutes talk he asked me to drink with him and stand the treat; we sat down together and had some conversation.

* This letter did not appear in the Alta California.

[July 15, 1851]

about the mines, I asked *Williams* if he had made anything at the mines, he said No, he told me he had no money but had a *Lot of Jewels* and he wished me to sell the Jewels for him, he had Bracelets among them, three were odd—I replied these are dangerous things to take—he said there was no danger for the man who *owned the Jewels was Dead*, I then said wait a moment I will go out and get a Purchaser, I directly went to the Station House in Ohio House, and acquainted the Capt of the Police of the Affair, the Capt sent a Police Officer with me to the House of Moore, I did not go in then, I told the Police Officer to go in the House and look at him, I advised him to say nothing to *Williams* but mark him and come out again, I thout it most advisable not to take the Jewels without the knowledge of a third Person, the Police Officer went away . . .⁶ the Hill and I around Battery Street, before I reached the door as agreed upon I saw the Police Officer going away with *Williams* in another direction the Officer and *Williams* went to the Police Office, I did not follow, as they had gone contrary to my directions, in a few minutes the Officer came after me, I then went to the Police Office, *Williams* asked me if I had told the Officer that he *Williams* had Jewels for sale, I answered yes, the Captain or Sergeant of Police took me behind the House and questioned me about it, they kept *Williams* in Custody until Monday morning (they had taken him on Saturday) they discharged him, without any further examination.

There is a Mob consisting of *Williams* and some Watermen who are determined to take my life

Williams came from McClain Ferry on the Stanislaus, it would be well to make inquiry

Williams is about 5 ft 5 or 6 in long face light complexion pock marked light hair not bushy, straight hair, light whiskers and thin moustache, appears not to have shaved lately about 23 years of age

W^m Henly. Statement

A man by name of Wilson now in *Sacramento*. A man by the name of Parks kept the Byron House on K Street, between

⁶ Paper torn.

[July 15, 1851]

front & 2nd Streets this House is frequented by Boatmen, Jenny from Town used to be there.

Wiliam Henley! I worked at the Brick Yard at the Mission Dolores, I worked up to last Saturday morning—I worked for a man by name of Wise I have some money in hands of Daniel M Elwee he lives opposite Sacramento at the Fisherman Co^s place (\$20)—I am going there to Fish I also have a Boat there—I have not seen Jenny from Town for six months until within a few days since in Francisco—Jinny from Town is about 5 ft 6 or 7 in—stout, dark comp. dark Broun Hair—smooth face,—

Scotty I know, he is a young slim man dark complexion dark hair, smooth face has been a Soldier—is a Scotchman

]Endorsed:] Henly was brought here by Mr Argenti

Geo W. Smith July 15th/51 gave information that he saw Jenny from Town at 12 OClock today sent a guard with him to arrest if found

Statement of Britton W. Jones. July 15th 1851

Britton Jones Ex^d July 15th 1851 before Executive Committee states

I happened in the California Exchange at 12 OClock of the 14th inst. I heard three or four persons in conversation about Edwards & Osman stated that they had returned to S. F. on Sunday night, another party replied yes I heard so too, but they are off this afternoon for Monterey, from thence to Melbourne, which is a settlement on the Coast of New Holland, Edwards Mother in Law lives at Melbourne, I heard that Osman left his Wife behind to settle up his business, and is to follow, Osman's Horses were stalled back of the City Hall

[Signed] Britton W. Jones

WEDNESDAY, JULY 16, 1851

MINUTES

Minutes July 16th 1851

At a Stated meeting of the Executive Committee held at the Committee room July 16th 1851. Present Payran Ryekman Bromley Graham and Oakes

[July 15, 1851]

front of 2nd Street. This House is frequented by Westmen, many from Town used to be there.

William Hensley: I worked at the Brick Yard at the Mission Dolores, I worked up to last Saturday morning—I worked for a man by name of W. Lee. I have some money in hands of Daniel Mc Elwee he lives opposite Sacramento at the Fisherman Co's place (820)—I am going there to Fish. I also have a boat there—I have not seen Henry from Town for six months until within a few days since in Francisco—Henry from Town is about 5 ft

6 or 7 in—about dark camp, dark brown hair—smooth face—Scotty I know, he is a young slim man—dark complexion dark hair smooth face—has been a Soldier—is a Scotchman

[Henderson:] Henry was brought here by Mr. Agent

Geo. W. Smith July 15th 51 gave information that he saw Henry from Town at 12 O'clock today—sent a guard with him to arrest if found

Statement of Britton W. Jones, July 15th 1851

Britton Jones Ex^o July 15th 1851 before Executive Committee states

I happened in the California Exchange at 12 O'clock of the 14th inst. I heard three or four persons in conversation about Edwards & Gannan stated that they had returned to S. F. on Sunday night another party replied yes I heard so too, but they are off this afternoon for Monterey, from thence to Melbourne, which is a settlement on the Coast of New Holland, Edwards Mother in law lives at Melbourne, I heard that Gannan left his Wife behind to settle up his business, and is to follow Gannan's

Houses were stalled back of the City Hall

[Signed] Britton W. Jones

WEDNESDAY, JULY 16, 1851

MINUTES

Minutes July 16th 1851

At a stated meeting of the Executive Committee held at the Committee room July 16th 1851. Present: James Fishman, Bromley, Graham and Cohen

[July 16, 1851]

A communication was received from Nos 415 [Stephen Burgein] & 535 [Richard Horton] praying that the wife of Mr John Pointer might be permitted to land from Ship *Andriondies*—¹ whereupon a communication was sent to the examining Committee granting the same providing they were fully satisfied upon examination that she was a deserving person and that her Husband was following a lawful occupation in San Francisco or any other part of California—

H. S. Gates was appointed to take in custody Hamilton Taft & to deliver him to the constituted authorities of Placer County with all the evidence.—

David Howe gave receipt for Fifteen hundred & twenty eight dolls. $\frac{50}{100}$ the amount taken with the said Hamilton Taft.

No other business being before the Committee adjourned

[Signed] W^m C Graham

Sect^y

Minutes Wednesday Evening July 16. 1851

At a meeting of the Executive Committee held on Wednesday evening July 16th 1851 Present Payran, Gorinan, Bromley, Huie Woodsworth Ward Garwood. Schenck. Wadsworth, & Graham

(Mr Woodsworth President of Gen^l Committee Present)

The meeting being called to order by the chair it was proposed that the case of Le Brass—Goff and all other matters be laid before the General Committee—

No other business being before the meeting adjourned to Gen^l Committee room

[Signed] W^m C Graham Sect^y

MISCELLANEOUS PAPERS

[Appointment of H. S. Gates as Custodian of Hamilton Taft]

Executive Chamber July 16th 1851

To H. S. Gates Esqr.

Reposing especial trust and confidence in your patriotism and integrity, we intrust to your especial care one Hamilton Taft,

¹ *Adirondack*.

A communication was received from Nos 415 [Stephen Bar-
kein] & 525 [Richard Horton] praying that the wife of Mr. John
Ponter might be permitted to land from Ship "Achilles"—
whereupon a communication was sent to the examining Commis-
sioners granting the same providing they were fully satisfied upon
examination that she was a deserving person and that her hus-
band was following a lawful occupation in San Francisco or any
other part of California—

H. S. Gates was appointed to take in custody Hamilton Tall
& to deliver him to the constituted authorities of Placer County
with all the evidence—

David Howe gave receipt for fifteen hundred & twenty
eight dollars ²⁰ the amount taken with the said Hamilton Tall.
No other business being before the Committee adjourned.
[Signed] Wm C Graham
Secy

Minutes Wednesday Evening July 16, 1851
At a meeting of the Executive Committee held on Wednesday
evening July 16th 1851 Present Taylor, Gordon, Brown,
Lay, Huie, Woodworth, Ward, Garwood, Schenck,
Woodworth, & Graham

(Mr. Woodworth President of Genl Committee Present)
The meeting being called to order by the chair it was pro-
posed that the case of La Hiras—Goff and all other matters be
laid before the General Committee—
No other business being before the meeting adjourned to
Genl Committee room
[Signed] Wm C Graham Secy

MISCELLANEOUS PAPERS
[Appointment of H. S. Gates as Constable of Hamilton Tall]
Executive Chamber July 16th 1851

To H. S. Gates Esqr.
Regarding especial trust and confidence in your patriotism and
integrity, we intrust to your especial care one Hamilton Tall.
Respectfully,
J. A. Schenck

[July 16, 1851]

charged with having committed a robbery on David Howe, William Howe, Joseph Howe, and John Moulton of Gold dust, whom you will deliver to the constituted authorities of Placer trial of Prisoner, then to deliver to any other authorities legally constituted for the trial of offences committed in said Placer County and herin you will fail not.

Done this July 16th 1851

Stephen Payran
Presdt of Ex Comt—

Wm C Graham Secty
true Copy W L B [Bromley]

[Receipt for the Body of Hamilton Taft]

We David Howe and Benjamin Jenkins both of Placer County in the State of California are held and firmly bound to Selim A. Woodsworth Chairman of the Committee of Vigilence of San Francisco in the sum of One thousand dollars, that they or either of them will assist H. S. Gates one of the said Committee in delivering the body of one Hamilton Taft charged with robbery—with having robbed David, Joseph and William Howe, and John Moulton of the sum of or about Two thousand three hundred dollars, (of which money the said David Howe has received of the Committee \$1528. $\frac{50}{100}$ all that was found on said Prisoner) to the properly constituted Authorities of said County and there to be tried according to the Laws of the Commonwealth of California, in such cases made & provided, in default whereof, the said David Howe and Benjamin Jenkins shall and will pay the sum of One thousand dollars to said Selim A. Woodworth for the uses of the said County of San Francisco

In Witness whereof the said parties have hereunto set their hands this 16th July 1851

Attest S Payran

[Signed] Benj^m Jenkins
“ David Howe

[Endorsed:] July 16th 1851

[July 16, 1851]

charged with having committed a robbery on David Howe, William Howe, Joseph Howe, and John Johnston of Gold Beach, whom you will deliver to the constituted authorities of Placer County Prisoner, then to deliver to any other authorities legally constituted for the trial of offenses committed in said Placer County and herein you will fail not.

Done this 10th July 1851

Stephen Payson

President of Ex. Court—

Wm C Graham Secy

True Copy W B B [Horsely]

[Receipt for the body of Hamilton Taff]

We David Howe and Benjamin Jenkins both of Placer County in the State of California are held and firmly bound to Selim A. Woodworth Chairman of the Committee of Vigilance of San Francisco in the sum of One thousand dollars that they or either of them will cause H. S. Gates one of the said Committee in delivering the body of one Hamilton Taff charged with robbery— with having robbed David, Joseph and William Howe, and John Johnston of the sum of or about Two thousand three hundred dollars (of which money the said David Howe has received of the Committee \$1325.25) all that was found on said Prisoner) to the properly constituted Authorities of said County and there to be tried according to the Laws of the Commonwealth of California, in such case made & provided, in default whereof the said David Howe and Benjamin Jenkins shall and will pay the sum of One thousand dollars to said Selim A. Woodworth for the use of the said County of San Francisco.

In Witness whereof the said parties have hereunto set their hands this 10th July 1851
Attest B Payson

[Signed] Ben^y Jenkins
David Howe

[Endorsed:] July 16th 1851

[July 16, 1851]

Received of the Committee of Vigilance of San Francisco the sum of Fifteen hundred and twenty eight dollars $50/100$, taken from the Prisoner, and whereas said Committee send with us H. S. Gates Esquire to deliver said Hamilton Taft, to the constituted Authorities of Placer County; will pay the expenses of said Gates to and from San Francisco

Attest S Payran

[Signed] David Howe

Complaint of Field J Lamm & James F Hill. July 16th 1851

Fidel J Lamb About one month since a man by the name of Alexander Chapman took from me out of my trunk about 900\$ in dust—about 9 miles above Sacramento City—Chapman is about 5 ft 7 in high—light Brown hair—hair long—Light Blue eyes—full fleshy face rather square face fresh color—Whiskers surrounds his face but rather scattering—upper lip shaved—about 26 years old a native of New York last from Illinois—dress common white hat drab Col Monkey Jacket—Velvet Collar. Bluish patteloons pr grain Boots—no vest has a mark upon the back of his wrist.—weighs about 160 lbs—high square shoulders, short neck, not very full breast—stands straight & hollow back

I reside 9 miles above Sac City on the East Bank of the river direct to Southern House Sac City.—Care of Moses Almey—

[Signed] Fidel J. Lamm [?]²

James F Hill— About the last night of June a man by the name of Alexander Chapman took from me about 1000\$ & one Galvanized Watch valued at 80\$.—all of coarse gold—there was some Specimens.—one specimen about $2\frac{1}{2}$ inches long small in the middle & pointing off at one end weighing $32\frac{1}{2}$ \$.—another round piece weighing $80\frac{1}{2}$ \$. another piece 6oz & 50c. another weighing $103\frac{1}{2}$ \$. rounding—all the rest in gold from 2\$ up to 10\$.—one of the Bags was small in the middle & large at both ends about 6in long & my name in this purse—

[Signed] James F. Hill

² See also p. 355, where the name is plainly Lamm.

Received of the Committee of Vigilance of San Francisco the sum of Fifteen hundred and twenty eight dollars ²⁸⁰ taken from the Prisoner, and whereas said Committee send with us H. S. Gates Esquire to deliver said Hamilton Telf to the constituted Authorities of Placer County; will pay the expenses of said Gates to and from San Francisco

Attest S Payson [Signed] David Howe

Complaint of Fidel J. Lamm of James F. Hill July 16th 1851
Fidel J. Lamm—About one month since a man by the name of Alexander Chapman took from me out of my trunk about \$5000 in gold—about 5 miles above Sacramento City—Chapman is about 5 ft 7 in high—light brown hair—fair face—light blue eyes—full fleshy face rather square face fresh color—Whiskers surround his face but rather scattering—upper lip shaved—about 25 years old a native of New York last from Illinois—dress common white hat dark Col Kentucky jacket—Velvet Collar. Bluish patterned for green Boots—no vest has a mark upon the back of his wrist—weights about 160 lbs—high square shoulders short neck not very full breast—straight & hollow back

I reside 3 miles above Sac City on the East Bank of the river direct to Southern House Sac City—Care of those Albany—
[Signed] Fidel J. Lamm [17]

James F. Hill—About the last night of June a man by the name of Alexander Chapman took from me about 10000 & one Galvanized Watch valued at \$25—all of coarse gold—there was some Specimens—one specimen about 2 1/2 inches long small in the middle & pointing off at one end weighing 33 1/2 g—another round piece weighing 60 g—another piece 60 & 50c another weighing 103 1/2 g—remaining—all the rest is gold from 25 up to 100—one of the Bars was small in the middle & large at both ends about six long & my name in this piece—

[Signed] James F. Hill

* See also p. 282, where the name is Philip Lamm.

[July 16, 1851]

[Petition for the Landing of Mrs. Pointer]

San Francisco July 16th/51

To the Committee

John Pointer of this City. respectfully applys. for a *Permit*. to get his wife from the Ship *Aderondus*—this afternoon

We the undersigned know the above named Pointer to be a good, honest and peaceable man—

[Signed] S Burgein No 415

" Rich^d Horton 535

THURSDAY, JULY 17, 1851

MINUTES

*Minutes Thursday, Evening July 17th 1851*Ex. Committee room July 17th 1851

Evening Session

S. Payran Pres

Jas F. Curtis Secy pro tem

Present Chas Brinley W. L. Bromley I. Bluxome Jr
Ryckman Schenck Wadsworth G. Oakes

Communication received from Grand Jury thro' Mr. Tufts member of V. C. requesting information as to what evidence we have against T. Belcher Kay—A number of names were handed Mr. Tufts to present the Grand Jury as witnesses to appear before them.¹

Mr E. Gerry Austin appeared before us, to state he had been requested by Mr Atkinson to appear as his Counsel in suit of Metcalf vs Argenti, Atkinson & others—but wished it distinctly understood that he does not Volunteer his services either to Mr Atkinson or to the V. C. or to any member of the V. C.—

He states that he is willing to appear as Counsel for Mr A & that he will make a bargain with Mr. A. as to the charge for professional service rendered—

¹ Eight members of the Committee served on the grand jury for the July term, and there was cordial co-operation between the two bodies, which were thus closely and curiously related. The *S. F. Herald*, July 21 and 23, noted two occasions on which they met in consultation over cases in which they had a common interest. See also Minutes, July 19, p. 298.

[July 17, 1851]

The propriety of libelling all ships bringing into California convicts from Penal colonies, was discussed by Mr. Payran, Brinley Spence & others

On motion adjourned

Attest

James F. Curtis Secy

MISCELLANEOUS PAPERS

Receipt for the Body of Francis Le Bras

Received of Mr Wethered & Mr J S Egan body of Francis Le Bras (from the Vigilant Committee

July 17th 1851

[Signed] John C Hays

Sheriff

[Endorsed:] Filed July 17 1851

[Statement of Charles Marsh Concerning John Goff]

July—17

Charles Marsh— I am certain this man in your presence is John Goff.—that was assigned to Judge Forbes.—I will swear to it & will bring witnesses to swear to it.—

[Signed] Cha^s Marsh.

Formerly Steward for Mr Richard Bourke at Sydney & Paramatta.

To Sam^l Brannan, relating to F Pixley.

Sacramento July 17. 1851

Sacramento July 17th/51

My dear Sir:

Since the confession of Stewart has been made public, I have had repeated conversations with Judge Hyslop[?] of this city who has on each occasion asserted, that during the sojourn of F. M. Pixley here, he was for several weeks an occupant of his office, and for a portion of the time, had his private quarters on board the "Prison Ship" and during that interval several prisoners escaped

Judge H. further asserted that Pixley's character has frequently been called in question by persons who knew him at Detroit

San Francisco Committee of Vigilance of 1851 291
[July 17, 1851]
The propriety of libelling all ships bringing into California
convicts from Penal colonies was discussed by Mr. Payson
Brinley, Spence & others.
On motion adjourned.
Attest
James F. Curtis Secy

MISCELLANEOUS PAPERS
Receipts for the body of Francis Le Bras
Received of Mr. Withers & Mr. J. S. Ryan body of Francis
Le Bras (from the Vigilant Committee)
July 17th 1851
[Signed] John C. Hayes
Sheriff
[Endorsed:] Filed July 17 1851

[Statement of Charles Marsh Concerning John Goff]
July—17
Charles Marsh— I am certain this man is your prisoner.
John Goff—that was assigned to Judge Forbes—I will swear
to it & will bring witnesses to swear to it.—
[Signed] Chas. Marsh
Formerly Steward for Mr. Richard Howland at Sydney &
Parramatta.

To Saml. Bowdler, relating to F. Pickens
Sacramento July 17, 1851
Sacramento July 17th 51
My dear Sir:
Since the confession of Stewart has been made public, I have
had repeated conversations with Judge Pickens of this city
who has on each occasion asserted that during the season of
F. M. Pickens here, he was for several weeks an occupant of his
office, and for a portion of the time had his private quarters on
board the "Plymouth Ship" and during that interval several pris-
oners escaped.
Judge H. further asserted that Pickens's character has fre-
quently been called in question by persons who knew him in
Detroit.

[July 17, 1851]

During your stay in town I would suggest that you call on Judge H. his high character will give to his assertions sufficient strength & corroborate any circumstantial testimony in your possession to the prejudice of Pixley

Faithfully &c

[Signature illegible²]

Saml Brannan Esq

[Addressed:]

Samuel Brannan Esq

Present

FRIDAY, JULY 18, 1851

MINUTES

*Minutes Friday Evening July 18th 1851*Executive Committee Friday evening 18th July—

Present—Ryckman, Ward, Spense, Ellis Huie, Woodworth.
McCahill. Bromley Wadsworth. Turner. Schenck. Mellus
Coleman. Curtis. Brinley. Bluxome.

Mr Ryckman in the chair

On Motion

Resolved That a committee of 3 be appointed to examine
"Jimmy from Town" J. C. Ward J. F. Spense A. J.
Ellis appointed said Committee¹

A communication was rec'd from J. L. Van Bokelin chief of
Police in relation to a controversy between him and S. Brannan
Esqr—

On Motion *Resolved*

That the chief of Police have the direct control of all
prisoners subject to the instructions of the executive committee

² The frequent miscarriage of justice in the courts, and the immunity from punishment of the most notorious scoundrels, had created, in some quarters, a resentment against the entire class of criminal lawyers, which is well illustrated by the publication in the *Alta California*, June 15, 1851, of a communication from "J. A." who maintained that lawyers ought not to undertake the defense of men whom they knew to be guilty. It is possible that the writer of the document printed above was somewhat influenced by the same spirit, and the fact that the signature is quite illegible impairs the value of the letter as a reliable criticism of Mr. Pixley's course of action.

¹ Jimmy from Town had been arrested July 16.

[July 17, 1851]

During your stay in town I would suggest that you call on Judge H. his high character will give to his assertions and silent strength & corroborate any circumstantial testimony in your possession to the prejudice of Fisher.

Faithfully &c

[Signature illegible]

Samuel Brannan Esq

[Addressed:]

Samuel Brannan Esq

Present

Friday, July 18, 1851

MINUTES

Minutes of the Board of Directors July 18th 1851

Executive Committee: Friday evening July 18th 1851

Present—H. G. Woodman, Ward, Spencer, Ellis, H. H. Woodworth, McCabill, Bromley, Washburn, Turner, H. H. McKim, Collins, Curtis, Bishop, Hanson.

Mr. H. G. Woodman in the chair

On Motion

Resolved That a committee of 3 be appointed to examine "Jimmy from Texas" J. C. Ward, J. F. Spencer, A. J. Ellis appointed said Committee.

A communication was read from J. L. Van Hooking chief of Police in relation to a controversy between him and S. Brannan.

Read—

On Motion Resolved

That the chief of Police give the chief editor of all prisoners subject to the jurisdiction of the executive committee.

The frequent misstatements of justice in the courts and the tampering with the judgment of the jury in the case of the "Jimmy from Texas" which a statement against the authorities of California history, which is well illustrated by the proposition in the San Francisco case 18, 1851, of a communication from "A. A." who mentioned that James came to the city. It is not to undervalue the value of such communications but it is possible that the writer of the communication printed above was influenced by the same spirit and that the statement is quite reliable in the nature of the letter as a reliable statement of Mr. Fisher's course of action.

Jimmy from Texas had been arrested July 18.

[July 18, 1851]

On Motion *Resolved*

That the order rec'd from Stuart for \$500 drawn on F. M. Pixley together with the a/c current be placed in the hands of the public administrator

Information rec'd about Belcher Kay—

On Motion *Resolved*

That Mr Brannan be requested to appear before this Committee and state his reasons for letting the prisoner Dabb go—

Report of Doct Gates about Hamilton Taft with a receipt for said Taft—*Resolved* That the report be accepted

On Motion *Resolved*—

That the thanks of this committee be tendered Doct Gates for the manner in which he executed his orders in regard to Hamilton Taft—

Resolved

That a committee of 4 be appointed to go on board the Bark *Wenham* to bring to this room a man suspected to be a thief

Resolved That Mr Brannan be invited to remain in the room the balance of the evening

Jack Arrenttrue's woman will give evidence against Belcher Kay²—

Resolved That this committee give all the evidence they have against Belcher Kay into the hands of the Grand Jury

Resolved That a committee be appointed to wait on the Sheriff and inform him that Mrs Hogan is about to leave this port on the Brig *Cameo* within 12 hours—Committee, Brinley, Woodworth & Spense

Communication of J. W. Gregory rec'd and ordered on file and the thanks of this committee be tendered Mr Gregory for his offer

Resolved That an order for \$100 be drawn on the treasurer for the passage of the prisoner Wright³

Resolved That an order be drawn on the Treasurer for \$25 for pay of passage money of a witness from Sacramento City⁴

² Harriet Langley, or Langmead, testified before the Committee August 12. See p. 456.

³ See voucher No. 5, p. 772.

⁴ See voucher No. 6, p. 772.

On Motion Resolved
That the order rec'd from Stuart for \$500 drawn on F. M.
Fixley together with the a/c current be placed in the hands of
the public administrator
Information rec'd about Belcher Key—

On Motion Resolved
That Mr. Hanson be requested to appear before this Com-
mittee and state his reasons for letting the prisoner Dobb go—
Report of last dates about Hamilton Taff with a receipt for
said Taff—Resolved That the report be accepted

On Motion Resolved—
That the thanks of this committee be tendered David Gator
for the manner in which he executed his orders in regard to
Hamilton Taff—
Resolved

That a committee of 4 be appointed to go on board the
Bark Winkham to bring to this room a man suspected to be a thief
Resolved That Mr. Hanson be invited to remain in the room
the balance of the evening
Jack Armstrong's woman will give evidence against Belcher

Key—
Resolved That this committee give all the evidence they have
against Belcher Key into the hands of the Grand Jury
Resolved That a committee be appointed to wait on the Sheriff
and inform him that Mrs. Hanson is about to leave this port on the
Brig Ganes within 12 hours—Committee Finley, Woodworth
& Spence

Communication of J. W. Gregory rec'd and ordered on file
and the thanks of this committee be tendered Mr. Gregory for his
offer
Resolved That an order for \$100 be drawn on the Treasurer for
the passage of the prisoner Wright

Resolved That an order be drawn on the Treasurer for \$25
for part of passage money of a witness from Sacramento City
Harriet Langley or Langwell testified before the Committee against

12. See p. 455.
1 See voucher No. 8, p. 772.
2 See voucher No. 8, p. 772.

[July 18, 1851]

MISCELLANEOUS PAPERS

*[Letter from the Chief of Police Case of Dab⁵]*Friday July 18th 1851

To the Members of the Executive Committee of V. C.

Gents It becomes my duty to Report to your body an act of insubordination on the part of Samuel Brannan last night between the Hours of 10 and 12 O'clock

The Charges are

1st A direct disobedience of an order that no one member should leave the room without permission of the Chief. and when forcing himself by the guard at the door was stoped by the Chief when He S. Brannan said he would shot if I did not release my hold & using loud & improper language.

2nd He declared that the Chief should not act on his own judgment, in disposition & confinement of Prisoners. without its meeting in one case his S. Bs views, and by loud talk set at defiance the authority of the Chief

3rd That without, Consent or Knowledge of the Chief of Police he Brannan did Clandestinally remove from Custody of this Committee & the Chief a Certain Prisoner named Elleard alis Dab who had been handed over to the Chief by Chas Miller a member & and two Gentlemen from Marysville, and that said prisoner was out of room & custody 3 or 4 minutes before I was aware of the fact

In refference to the foregoing charges I would state that many excuse his conduct, under various pleas.

I would ask if it is the desire of this body that an officer in discharge of his duties should subserve himself to the caprices of any one member

In discharge of my duties I know no man or men, my orders are given to apply to all and the duties entailed upon me demand implicit obedience.

It is said by some that I assume authority & powers that were never delegated to me wherefore I should desire to know if I have overstepped my authority or not.

I deem it requisite that at all times there should be a superior

⁵ See note 14, p. 227.

[July 18, 1851]

MISCELLANEOUS PAPERS

[Letter from the Chief of Police, Case of Dab.]

Friday, July 18th 1851

To the Members of the Executive Committee of V. C.

Gentl: It becomes my duty to Report to your body an act of insubordination on the part of Samuel Hermann last night between the hours of 10 and 12 O'clock.

The Charges are

1st A direct disobedience of an order that no one member should leave the room without permission of the Chief, and when forcing himself by the guard at the door was stopped by the Chief when He S. Hermann said he would shoot if I did not release my hold & using bad & improper language.

2nd He declared that the Chief should not act on his own judgment in disposition & confinement of prisoners without its meeting in one case his S. He swore and he had talk set at defiance the authority of the Chief.

3rd That without Consent or Knowledge of the Chief of Police he Hermann did clandestinely remove from Custody of this Committee & the Chief a certain prisoner named Edward and Dab who had been handed over to the Chief by Cass Miller a member & and two Gentlemen from Maryland, and that said prisoner was out of room & custody 3 or 4 minutes before I was aware of the fact.

In reference to the foregoing charges I would state that many excuse his conduct, under various pleas.

I would ask if it is the desire of this body that an officer in discharge of his duties should sacrifice himself to the caprice of any one member.

In discharge of my duties I know no man or man my orders are given to apply to all and the duties entailed upon the demand implicit obedience.

It is said by some that I assume authority & power that were never delegated to me whereas I should desire to know if I have overstepped my authority or not.

I deem it requisite that at all times there should be a superior

[July 18, 1851]

power present, whose orders are to be imperative & beyond question

To answer every question and satisfy each one when I am transacting business I deem inexpedient & impolitic, wherefore I have at times acted without satisfying numerous members who seem to claim a right (which I do not acknowledge) to know the why & wherefore, of my private movements in relation to prisoners & other matters.

The question to be decided is what is my power. is it superior to a private member, and are frivolous pleas for a mans improper conduct to frustrate the objects & order & defeat the ends & well being of this Committee

In addition I would suggest that a Superior should have orderly quiet & prudent deputies in view of which I suggest that W^m H. Jones be relieved from office of Deputy Marshall as I deem him unqualified to hold the office⁶

Your attention and action on these subjects I would request this evening, and that you will lay the subject before Committee of the Whole

Resp^t Yours

[Signed] J L Van Bokkelen

Chief of Police

[Addressed:]

To the Executive Committee
from Chief of Police

[*Report of Door-Guard, July 18th*]

Sir After receiving yr orders last night not to allow any person to pass out until yr return I refused egress to every applicant including members of the Exc. Com. & the gentlemen from Marysville. My so doing caused an excitement among a portion of our members some of whom swore that they would go in spite of yr orders; a portion got so warm that at one time I thought force would be resorted to. I proclaimed that I would pass anyone who would get an order from the E. C. Mess Eagan Battelle Miller Gates & Winter procured the annexed & came to the door in a body accompanied by W H Jones who exclaimed

⁶ Jones was excused from his position on July 23 (p. 339).

power present, whose orders are to be imperative & beyond question

To answer every question and satisfy each one when I am transacting business I deem independent & impartial, wherever I have at times acted without satisfying numerous members who seem to claim a right (which I do not acknowledge) to know the why & wherefore of my private movements in relation to private & other matters.

The question to be decided is what is my power. Is it superior to a private member, and are private plans for a more improper conduct to frustrate the objects & order & defeat the ends & well being of this Committee.

In addition I would suggest that a Superior should have orderly quiet & prompt debates in view of which I suggest that Wm H. Jones be relieved from office of Deputy Marshall as I deem him unsuited to hold the office.

Your attention and action on these subjects I would request this evening, and that you will lay the subject before Committee of the Whole.

Respectfully,

[Signed] J. J. Van Hook

Chief of Police

[Addressed:]

To the Executive Committee

from Chief of Police

[Signed by Dan-Grant July 18th]

Sir. After receiving yr orders last night not to allow any person to pass out until yr return I refused access to every applicant including members of the Exec. Com. & the gentlemen from Marysville. My refusal caused an excitement among a portion of our members some of whom swore that they would go in spite of yr orders; a portion got so warm that at one time I thought force would be required to prevent them. I perceived that I would have one who would get an order from the E. C. Mess Egan. He told Miller Gates & Winter presented the order & came to the door in a body accompanied by Wm H. Jones who explained

* Jones was excused from this position on July 23 (p. 295)

[July 18, 1851]

as Battelle handed me the order "there my influence got it." I opened the door for Battelle but before I could read the remainder of the names Jones passed through & was beyond my reach ere I ascertained that his name was not on the list.

Mr Brannan two or three times insisted on passing. The last time he came to the door accompanied by one of the prisoners— You were then in the room & I referred him to you. He denied my right to keep the door closed & *in not particularly polite language* asserted that no such orders had been given as I alledged that I received—My reply brought you to the door & you know what then transpired. But as you may wish to make a report to the E. C. I state that Mr Brannan came to the door with the prisoner & that when I opened it according to yr orders to let out some whom you said might pass Mr B pushed the prisoner out & attempted to follow himself but was prevented by your taking hold of him. There then was a rush made to the door but Mr Loomis & self kept them back until you allowed Mr B to go; when the doors were ordered opened for all hands—

Yrs &c

[Signed] Daniel J Thomas Jr

Committee Room July 18. 1851

To J L Van Broklin Esq C. P. Com. Vig.

[Annotated:] The above report from the guard at Door is referred to Executive Committee J L Van Bokkelen

[Addressed:]

J L Van Broklin Esqr

[The following Order is attached by a wafer to the foregoing letter:]

Mr Battelle Mr Eagan Mr Miller Doct Gates have been on duty for two days and wish to go home
please let them pass

[Signed] A J Ellis

To the Door Keeper

Permit C Winter to pass [Signed] Geo J Oakes

[Receipt for the Body of Hamilton Taft.]

Sacramento July 17th 1851

Received from the hands of Doct H. S. Gates the prisoner

[July 15, 1851]

as Battelle handed me the order "there my influence got it." I opened the door for Battelle but before I could read the remainder of the names Jones passed through & was beyond my reach ere I ascertained that his name was not on the list.

Mr. Brannan two or three times insisted on passing. The last time he came to the door accompanied by one of the prisoners. You were then in the room & I referred him to you. He denied my right to keep the door closed & in not particularly polite language asserted that no such orders had been given as I alleged that I received—My reply brought you to the door & you know what then transpired. That as you may wish to make a report to the E. C. I state that Mr. Brannan came to the door with the prisoner & that when I opened it according to your orders to let out some whom you said might pass Mr. B. pushed the prisoner out & attempted to follow himself but was prevented by your taking hold of him. There then was a rush made to the door but Mr. Loomis & I kept them back until you allowed Mr. B. to go; when the doors were ordered opened for all hands—

Yrs &c

[Signed] Daniel J. Thomas Jr.

Committee Room July 18, 1851

To J. L. Van Broeklin Esq. C. P. Com. Vig.

[Annals:] The above report from the guard at Door B.

referred to Executive Committee J. L. Van Broeklin

[Address:]

J. L. Van Broeklin Esq.

[The following Order is attached by a water to the foregoing letter:]

Mr. Battelle Mr. Kegan Mr. Miller Do not return have

been on duty for two days and wish to go home

please let them pass

[Signed] A. J. Ellis

To the Door Keeper

Permit C. Winter to pass [Signed] Geo. J. Gates

[Receipt for the Body of Jonathan Yell]

San Francisco July 17th 1851

Received from the hands of Doct. H. St. John the prisoner

[July 18, 1851]

Hamilton Taft and the accompanying evidence in the case of Robbery as taken before the V. C. of San Francisco

Which we agree to hand over into the hands of the proper authorities of Placure County Cal. for Trial

[Signed] Benj^m Jenkins

“ [?] Joseph A Howe

“ “ David Howe

[In relation to the “Wenham”]

To the Honorable Vigilant Committee of San Francisco

Gent We have now on board Barque *Wenham* a thief as also a crew of the most *desperate villians*, as I am informed by my officer who are armed and from the fact that they have taken a pistol *from them* I request your attendance *forthwith*. And you may select some of the larks your honorable body is in continual watching for this man has been robbed of gold dust and other articles. for the further information I refer him to you he has identified a man as the thief lately arrived from Calleo

Come off and you may get a subject you have been long in search off

Very respectfully &c

[Signed] Henry Galt

[Annotated:] The Chief of Police will despatch four men to bring above man on shore

[Signed] G. W. Ryckman

Pres. pro tem

[Addressed:]

Honorable Vigilant Committee

Present

[Statement of F. L. Jones in Relation to Whittaker]

F. L. Jones a Painter in Jackson Street a few doors above Kearny says that he saw a man this afternoon, who works along side of Whittaker in the Mines—

Jones will put us in communication with this man who agrees to go with any of the members of the Committee to the place where Whittaker is now working—

Hamilton Taft and the accompanying evidence in the case of
Robbery as taken before the V. C. of San Francisco
Which we agree to hand over into the hands of the proper
authorities of Placer County Cal. for trial

[Signed] - Benj. Jackson

Joseph A Howe

David Howe

[In relation to the "Whittaker"]

To the Honorable Vigilant Committee of San Francisco
Gent We have now on board Harpo Whittaker a thief as also
a crew of the most desperate villain, as I am informed by my
officer who are armed and from the fact that they have taken
a pistol from them I request your attendance tomorrow. And
you may select some of the large your honorable body is in con-
tinual waiting for this man has been robbed of gold dust and
other articles for the further information I refer him to you
he has identified a man as the thief lately arrived from Calico
Come off and you may get a subject you have been long in
search of

Very respectfully &c

[Signed] Henry Galt

[Annotated:] The Chief of Police will dispatch four men to
bring above man on shore

[Signed] G. W. Rykman

Per pro tem

[Addressed:]

Honorable Vigilant Committee

Present

[Statement of F. L. Jones in Relation to Whittaker]

F. L. Jones a Printer in Jackson Street a few doors above
Kearny says that he saw a man this afternoon who works along
side of Whittaker in the Mine—
Jones will put us in communication with this man who agrees
to go with any of the members of the Committee to the place
where Whittaker is now working—

[July 18, 1851]

Whittaker has made his boasts to this friend of Jone's of his past life, connexion with Mrs Hogan &c—

"Vigilance Committee"

San Francisco July 18th 1851

Mr W^m. M. Hogg N^o 220 and Mr James Wethered N^o 299 will vouch for the character of Mr Jones

SATURDAY, JULY 19, 1851

MINUTES

Minutes Saturday Morning July 19th 1851

At a meeting of the Executive Committee held on Saturday morning July 19th 1851.— Present Payran—Ryckman—Huie—Schenck—Spence—Huie Bluxome—Coleman—Curtis—Gorham—Bromley—Garwood—Oakes—Mellus—Graham

A complaint having been lodged against one Alexander Thompson by M^{rs} Gamble that the said T. had in the name of the V. C. threatened the said M^{rs} Gamble & husband with expulsion from San Francisco—it was ordered that the said Thompson be brought before this Committee.—

About 11 OClk the Committee was informed that the Grand Jury were in waiting they were introduced into the Committee room—for the purpose of a conference relative to one T Belcher Kay—

An order was issued (upon information received relative to M^{rs} Hogan) that a Committee be appointed to visit the Brig *Camio* for the purpose of bringing on shore all the effects of the said M^{rs} Hogan and any others concerned with her & to arrest her other confederates & bring them to the Committee room.¹—

Alexander Thompson having been brought into the Committee room underwent an examination, records of which is upon file,—and his case deferred untill the witnesses can be produced.—

Eugenio Gazales was brought before the Committee on a charge of Highway robbery at or near Sonora, one witness was examined as per record & the prisoner ordered into Custody to await further witness from Sonora.—

¹ See note 30, p. 234.

await further witness from Sonner.—

examined as per record & the prisoner ordered into County to charge of Highway robbery at or near Sonner. one witness was brought before the Committee on a and his case delayed until the witness can be produced.—

room underwent an examination, records of which is upon file.— Alexander Thompson having been brought into the Committee her other associates & bring them to the Committee room.—

said Mr. Hogan said any others concerned with her & to arrest cause for the purpose of bringing on shore all the effects of the Mr. Hogan) that a Committee be appointed to visit the Brig An order was issued (upon information received relative to Belcher Kay—

July were in waiting they were introduced into the Committee room—for the purpose of a conference relative to one T About 11 O'Clock the Committee was informed that the Grand brought before this Committee.—

from San Francisco—it was ordered that the said Thompson be V. C. Thompson the said Mr. Gamble's husband with expedition Thompson by Mr. Gamble that the said T. had in the name of the A complaint having been lodged against one Alexander

Graham—Hawley—Garwood—Gibbs—Heller—Graham Hris—Hobbs—Spencer—Hris—Buzsars—Coleman—Cortis morning July 12th 1851.— Present Taylor—Hysman— At a meeting of the Executive Committee held on Saturday

Minutes Saturday Morning July 12th 1851

MISCETANEOUS

SATURDAY, JULY 12, 1851

will vouch for the character of Mr. Jones

Mr Wm. M. Hogg No 220 and Mr James Weathered No 220

San Francisco July 12th 1851

"Vigilance Committee"

past life, connexion with Mrs Hogan &—

Whittaker has made his boasts to this friend of Jones's of his

[July 12, 1851]

[July 19, 1851]

The witness in the case of Thompson were further examined, & it ordered that the chairman reprimand the said Thompson and that he be discharged

[Signed] W^m C Graham
Secty

Adjourned

Minutes Saturday Evening 19 July 1851

At a Meeting of the Executive Committee held on Saturday evening July 19th 1851. Present Payran—Bromley—Wadsworth—Ryckman—Bluxome—McCahill—Spence—Curtis—Graham—

The Meeting having been called to order a communication from Flavel S Mines was read and ordered to be filed with the paper of the Committee

On Motion a committee of [. . .] was appointed to ask permission from the Rev^d F S Mines to publish the same Messrs^s McCahill & Raykman were appointed [with] a communication to the Committee.—

On Motion resolved the same be read to the Gen^l Committee—

Mr Oscar Smith returned the bond signed by P Jas O. C. White & stated that the prisoner with a receipt for the passage money—

On Motion resolved that the meetings of the Ex Committee shall be held every evening at 7 O.Clk—but can be convened at any other time by proper notice being given— adjourned

[Signed] W^m C Graham

Minutes of General Meeting July 19. 1851

Mr Selim Woodworth in the Chair

Letter of the Rev^d Mr Mines in answer to Ex Committee—read—and ordered published—

On motion

Resolved—That every member of the Vigilant Commt hand to the Treasurer—the moneys collected by them for the completion of the County Gaol

On motion Mr Bromley

The witness in the case of Thompson were further examined, & it ordered that the chairman report and the said Thompson and that he be discharged.

[Signed] Wm C Graham

Secretary

Adjourned

Minutes Saturday Evening 19 July 1851

At a Meeting of the Executive Committee held on Saturday evening July 19th 1851. Present: Payson—Bromley—Wade—Worth—Ryckman—Blair—McCall—Spence—Curtis—Graham—

The Meeting having been called to order a communication from F. J. S. Mins was read and ordered to be filed with the paper of the Committee.

On Motion a committee of [] was appointed to ask permission from the Rev. F. S. Mins to publish the same. Messrs. McCall & Ryckman were appointed [with] a communication to the Committee—

On Motion resolved the same be read to the Genl Committee—Mr. Oscar Smith returned the bond signed by F. J. S. Mins. White & stated that the prisoner with a receipt for the passage money—

On Motion resolved that the meetings of the Ex Committee shall be held every evening at 7 O'Clock—but can be convened at any other time by proper notice being given— adjourned
[Signed] Wm C Graham

Minutes of General Meeting July 19 1851

Mr. Selim Woodworth in the Chair
Letter of the Rev. F. S. Mins in answer to Ex Committee—
read—and ordered published—
On motion

Resolved—That every member of the Vigilant Comtee hand to the Treasurer—the money collected by them for the completion of the County Road
On motion Mr. Bromley

[July 19, 1851]

Resolved That a collector be appointed to collect the fines now due this Committee Robert Wells Esq appointed

On motion Mr Curtis

Resolved That the Committee appointed for the investigation of the manner in which the moneys appropriated for the building of the County Gaol have been spent—have further time to report—

On motion Mr Woodworth

Resolved That the Secretary draw off the Standing rules of this Committee and post them in the room—

On motion Mr Curtis

Resolved That a Committee of three be appointed to inquire why—and by what authority the Prisoner Dabb was discharged Committee Mr Curtis—Mr Payran and M Petrovich

On motion of Mr Thomas—

Resolved That the Ex Committee define the duties of the Chief of Police—Assistants—and deputies and Sergt at Arms & Assistants also how many members of the Ex Com shall have power by their written order to set aside or revoke the orders of an officer of this Committee—

On motion of Mr McDuffie

Resolved That all members detailed for duty and are absent from said duty shall be fined the sum of Five dollars which shall be collected and claimed by the person doing said duty by having the approval of the Sergt at Arms—²

On motion Mr Jones

Resolved That there shall be two stated meetings of the Vigilance Committee of each week—on Tuesdays & Saturdays to convene at 8 P M

The Ex Committee report that in the case of one W^m Thompson³ Jr (upon whose oath) a writ of Habeas Corpus was issued be indicted for Perjury—

² A draft of this resolution, signed "No. 60, Member of V. C." [S. B. Marshall] is dated July 15.

³ On July 11, the day Stuart was hung, William Thompson, Jr., made affidavit that Kay was restrained of his liberty and imprisoned by a great number of people who styled themselves the Vigilance Committee, and, on his petition, Judge Murray issued a writ directing Sheriff Hays

[July 12, 1921]

Resolved That a collector be appointed to collect the fines now due this Committee Robert Wells East appointed

On motion Mr Curtis

Resolved That the Committee appointed for the investigation of the manner in which the money appropriated for the building of the County Jail have been spent—have further time to report—

On motion Mr Woodworth

Resolved That the Secretary draw off the Standing rules of this Committee and post them in the room—

On motion Mr Curtis

Resolved That a Committee of three be appointed to inquire why—and by what authority the Prisoner Dobb was discharged Committee Mr Curtis—Mr Egan and M. P. T. wish

On motion of Mr Thomas—

Resolved That the Ex Committee define the duties of the Chief of Police—Assistants—and deputies and Sergeant at Arms & Assistants also how many members of the Ex Com shall have power by their written order to act aside or revoke the orders of an officer of this Committee—

On motion of Mr McDuffie

Resolved That all members detailed for duty and are absent from said duty shall be fined the sum of Five dollars which shall be collected and claimed by the person doing said duty by having the approval of the Sergeant at Arms—

On motion Mr Jones

Resolved That there shall be two stated meetings of the Vigilance Committee of each week—on Tuesday & Saturday

to convene at 8 P. M.

The Ex Committee report that in the case of one Wm Thompson son, Jr (upon whose oath) a writ of Habeas Corpus was issued he indicted for Forgery—

* A draft of this resolution, signed Wm. E. Thompson, Jr. is dated July 12.

* On July 11 the day before last, William Thompson, Jr. was arrested last night was arrested at his liberty and imprisoned in a great number of people who acted themselves the Vigilance Committee and, on his petition, Judge Mearns issued a writ directing Sheriff Hays

[July 19, 1851]

On motion

Resolved That the a/c current together with the order of Eng Jim alias Jim Stuart be given to the Public Administrator for Collection—

On Motion Adjourned

[Signed] I Bluxome Jr

Secretary

MISCELLANEOUS PAPERS

[Communication from the General Committee to the Executive Committee]

To the President of Ex Committee

Sir The following Resolution was passed at a general meeting of the Vigilance Committee held July 19. 1851 to wit—

Resolved—That the Ex Committee define the duties of the Chief of Police—Assistants—and deputies—also the Sergt at Arms and Assistant—also how many members of the Ex Committee shall have power by their written order to set aside or revoke the orders of an Officer of this Committee—

[Signed] I Bluxome Jr

Secretary

San Francisco July 19. 1851

Alexander Thompson. Statement

Alexander Thompson— I am a native of Scotland I came from New York, I came in the *Philip Hone* Capt Mitchell, about two years since, I have been in business for myself as a Baker—I carried on business with a Mr Fleming at a place called the Boston Bakery—when I came to S. F. I went into Mr. Taylors Bakery, I worked there two Months, after that I went to the Mines, at Deer Creek, I was four days altogether at the Mines, I came down to Sacramento I worked at Sacramento with a Mr Taylor a Baker I worked for him 3 or 4 days—I was sick at Sacramento about a Month, and then came to S. F. I then

to produce the said Kay in court. As Kay had never been in its custody, the Committee influenced the grand jury to indict Thompson for perjury, but the charge was dismissed on a technicality. *S. F. Herald*, Law Intelligence, August 11.

On motion

Resolved That the a/c current together with the order of
King Jim alias Jim Stuart be given to the Public Administrator
for Collection—

On Motion Adjourned

[Signed] I Blomrose Jr

Secretary

MINUTES OF THE

[Communication from the General Committee to the

Executive Committee]

To the President of Ex Committee

Sir The following Resolution was passed at a general meet-
ing of the Vigilance Committee held July 19, 1851

to wit—

Resolved—That the Ex Committee define the duties of
the Chief of Police—Assistant—and Deputies—also the Serge-
at Arms and Assistant—also how many members of the Ex Com-
mittee shall have power by their written order to set aside or
revoke the orders of an Officer of this Committee—

[Signed] I Blomrose Jr

Secretary

San Francisco July 19 1851

Alexander Thompson's Statement

Alexander Thompson— I am a native of Scotland. I came
from New York. I came in the Pacific House Capt Mitchell about
two years since. I have been in business for myself as a Baker—
I carried on business with a Mr. Fleming at a place called the
Boston Bakery—when I came to S. F. I went into Mr. Taylor's
Bakery. I worked there two months after that I went to the
Mines at Deer Creek. I was four days altogether at the Mines.
I came down to Sacramento. I worked at Sacramento with a
Mr. Taylor a Baker. I worked for him 3 or 4 days—I was sick
at Sacramento about a month and then came to S. F. I then

to produce the said King is dead. As King had never been in its custody,
the Committee instructed the grand jury to indict Thompson for perjury,
but the charge was dropped as a technicality. S. F. Bulletin, Jan.
Intelligencer, August 11.

[July 19, 1851]

went to my old Boss Mr Tailor, I worked for him about five weeks—I then went on a schooner a Mexican schooner that run betwixt this & Stockton do not know the Capt's name, I went in her one month, I then went to work at a Bakery at Stockton I do not recollect the man's name, I worked about a Month I then came to S. F. I then went to work for Mr Fisher a Baker in Jackson Street, I worked for him about five weeks—I then worked for Kennedy & Hunter Bakers in Pacific St—I worked for them four months—I worked about long shore a good bit, any kind of work, I worked as a Lighterman I boarded with one Morris near the Brewery in the Valley—I worked along shore about two months I then went to work at Mr Joseph's Bakery

I worked for him about three weeks—Mr Fleming & myself bought out Mr Josephs—we gave him about \$300—We carried it on nearly two months I was in Joseph's Bakery for two months, which was up to the Fire of 14 June 1850, Fleming gave me \$500 for my Interest in the business—I knocked about the City for a day or two, I then went to Mr Howard and rented a piece of ground on Mission Street I built a Bakery—I kept it nearly three months I sold the Bakery to Mr Watson for \$300—I then got married in the month of October to one Miss Marr a Native of Port Philip, I loaned her father \$300 to build a House called the Bull's Head, near the Iron Foundry—I kept a Bar in it for a long time, nearly two months, my wife & her mother could not agree, so I took my wife and hired the Boston Bakery—I kept that about one month, I then took my wife and went up to Mr Tailor's the Baker—I was there three weeks—I then took my wife and went down to one Mr Frawley in the Valley (Pleasant Valley) keeps a Liquor store I was there about two weeks—I then worked at a Bakery at Rincon Point, for four or five weeks—I rented a House there and live there four months I then rented the place where I am now on Mission Street next to the Station House, I do no business my wife takes in washing, I worked two or three days at Donnohue & at Mr Morris's—there was a little Company in my House, one called Thomas. James Paddy—Jake, my wife and myself, there was a dollar laid on the Table by one of the Company to buy something to drink but my wife would not let me take it, &

[July 19, 1881]

went to my old Boss Mr. Taylor. I worked for him about five weeks—I then went on a schooner a Mexican schooner that ran between this & Stockton. Do not know the Capt's name. I went in her one month. I then went to work at a Bakery at Stockton. I do not recollect the man's name. I worked about a month. I then came to S. F. I then went to work for Mr. Fisher a Baker in Jackson Street. I worked for him about five weeks—I then worked for Kennedy & Hunter Bakers in Pacific St—I worked for them four months—I worked about four years a good bit. Any kind of work, I worked as a lighterman. I boarded with one Morris near the Brewery in the Valley—I worked along there about two months. I then went to work at Mr. Joseph's Bakery. I worked for him about three weeks—Mr. Fleming & myself bought out Mr. Joseph—we gave him about \$300—We carried it on nearly two months. I was in Joseph's Bakery for two months, which was up to the first of June 1880. Fleming gave me \$500 for my interest in the business—I knocked about the City for a day or two, I then went to Mr. Howard and rented a piece of ground on Mission Street. I built a Bakery—I kept it nearly three months. I sold the Bakery to Mr. Watson for \$300—I then got married in the month of October to one Miss Mattie a Native of Port Phillip. I handed her father \$300 to build a house called the Bull's Head, near the Iron Foundry—I kept a flat in it for a long time, nearly two months. My wife & I and another could not agree so I took my wife and hired the Boston Bakery—I kept that about one month. I then took my wife and went up to Mr. Taylor's the Baker—I was there three weeks—I then took my wife and went down to one Mr. Frawley in the Valley (Pleasant Valley) keeps a liquor store. I was there about two weeks—I then worked at a Bakery at Mission Point for four or five weeks—I rented a house there and live there four months. I then rented the place where I am now on Mission Street next to the Station House. I do no business. My wife takes in washing. I worked two or three days at Thompson & at Mr. Morris's—there was a little Company in my house one called Thomas James Paddy—took my wife and myself. There was a dollar laid on the Table by one of the Company to buy something to drink but my wife would not let me take it.

[July 19, 1851]

I got mad and went out I then went up to one Gamble's in Broadway in a House on top of the Hill near Hyde Street, professes to be a Horse Doctor, and his wife washes, I went to Gambles about a girl, I did not go into Gamble's House I saw the girl there, and she got high against the Country I also saw Gamble (he is from Sydney) came in Barque *Gloucester* with my Father in Law, I then came down & met my comrades whom I had left at my House at the Corner of Pacific & Montgy I drank with them, I with them went to Major Tailor's the Baker and drank a glass or two, I left there, and parted with my Companions or rather we lost each other I then went into a sale in Sansome Street, I looked on and left, I do not know where I went, yes I recollect I went into the Eagle Saloon Kearney Street, I got into talk with a girl there who was a ship mate of Goffs—after which I went home I never was a member of the Vigilance Committee, nor did I ever go into a House and examine it, nor state that I was such a member

Report of A J McDuffee

in behalf of Committee to Stockton for Whittaker

To the Executive Committee of the Committee of Vigilance

San Francisco

Gentlemen The Committee appointed to go in pursuit of one Whittaker respectfully beg leave to Report

That they left here on Monday P. M. and arrived at Stockton Tuesday A. M. when they ascertained that a person supposed to be the said Whittaker had left Stockton for the Southern mines on the morning of the 10th inst Your Committee at once procured horses and a carriage and proceeded to the Chinees Diggins, where they supposed they would learn something of him. not being able to do so your committee proceeded to Woods Diggins James Town, George Town, Shaws Flatts and Sonora. At the latter place they learned that a man had arrived there and had offered a horse and cart for sale but your committee wer unable to obtain information to satisfy them the the person was the man they were in pursuit of⁴

⁴ For the expenses of this trip see voucher No. 11, p. 773.

was the man they were in pursuit of.

At the latter place they learned that a man had arrived there and had offered a house and out for sale but your committee was unable to obtain information to satisfy them the person was the man they were in pursuit of.

Diggins, James Town, George Town, Shreve Falls and Somers. him, not being able to do so your committee proceeded to Wash Diggins, where they supposed they would learn something of persons on the morning of the 10th inst. Your Committee at once posed to be the said Whittaker had left Boston for the Southern too Tuesday A. M. when they ascertained that a person sup- That they left late on Monday P. M. and arrived at Stock- of one Whittaker respectfully beg leave to report

Gentlemen. The Committee appointed to go in pursuit San Francisco

To the Executive Committee of the Committee of Vigilance in behalf of Committee to Stockton for Whittaker Report of A. J. McDuffee

state that I was such a member

Committee, nor did I ever go into a House and examine it, nor after which I went home. I never was a member of the Vigilance I got into talk with a girl there who was a ship mate of Goff's— went, yes I recollect I went into the Eagle Saloon Kearney Street, in Sansome Street, I looked on and left, I do not know where I companions or rather we lost each other. I then went into a salo and drank a glass or two, I left there, and parted with my Com- drank with them, I with them went to Major Taylor's the Baker I had left at my House at the Corner of Pacific & Montez. I my Father in Law, I then came down & met my comrades whom saw Gamble (he is from Sydney) came in Harpuz Glouster with the girl there, and she got high against the Country. I also Gamble about a girl, I did not go into Gamble's House. I saw leases to be a House Doctor, and his wife washed, I went to Broadway in a House on top of the Hill near Hyde Street, pro- I got mad and went out. I then went up to one Gamble's in

[July 18, 1851] 303

SAN FRANCISCO COMMITTEE OF VIGILANCE OF 1851

[July 19, 1851]

Your Committee took a letter from the Secretary of the V. C. of Stockton to the V. C. of Sonora. the Committee of Sonora called a Meeting and waited upon us to tender us any assistance in their power and invited our presence at the meeting. After the exchange of compliments your committee gave the Committee of Sonora a full description of the man Whittaker and we have no doubt that he will be taken by them subject to the order of the Committee of San Francisco should he be discovered in that vicinity—

Having attended to the duties assigned them to the best of their abilities your Committee beg leave to be discharged

[Signed] A Jackson McDuffee
in behalf of Committee

San Francisco July 19. 1851

Basques Testimony in relation to Gonzales

Firmin Basques.— Live in the Chilean Camp close to the place where the man is said to have been robbed—and I know him—I am a merchant—Know Eugenio Gonzales to be a good man—have known him two months—Know nothing of his having had a difficulty with Police further than that being drunk, he was shot at wounded by a Policeman, and was cared [for] at Dry Camp—Gonzales is a pedler—I am from Tepic, and some townsmen of mine know him well and from this circumstance I came to know him—also—Know nothing of the robbery whatever, further than that W^m Scott who has a shop in the Chilean Camp, told me that a man had been robbed by two Mexicans and an irishman— I think the affair took place about 8 days ago—

[Signed] Fermin Vasques

In the Matter of Eugenio Gonzales chg^d with Robbery

Eugenio Gazales— I came from Sonoro to S. F. last night the 18th July 1851, on board the *Webber* I was at Sonoro three days, doing nothing, I went from St Francisco to Sonora to sell clothing, not having money to pay for a License to sell goods I came to St. Francisco, the money taken from me \$68 ¹²/₁₀₀ a friend gave me to purchase goods at St Francisco, I received the

[July 18, 1851]

Your Committee took a letter from the Secretary of the V. C. of Stockton to the V. C. of Sonoma. The Committee of Sonoma called a Meeting and waited upon us to tender us any assistance in their power and invited our presence at the meeting. After the exchange of compliments your committee gave the Committee of Sonoma a full description of the man Whistler and we have no doubt that he will be taken by them subject to the order of the Committee of San Francisco should he be discovered in that vicinity—

Having attended to the duties assigned them to the best of their abilities your Committee beg leave to be discharged
[Signed] A Jackson M'Donell
in behalf of Committee

San Francisco July 18, 1851

Respect Testimony in relation to Gonzalez

Friendship Respon— I live in the Chinese Camp close to the place where the man is said to have been robbed—and I know him—I am a merchant—Know Gonzalez to be a good man—have known him two months—Know nothing of his having had a difficulty with Police further than that being drunk he was shot at—wounded by a Policeman, and was cured [for] at Dry Camp—Gonzalez is a pedler—I am from Tejon and some townsmen of mine know him well and from this circumstance I came to know him—also—Know nothing of the robbery whatever, further than that Wm Scott who has a shop in the Chinese Camp, told me that a man had been robbed by two Mexicans and an Irishman—I think the affair took place about 5 days ago—
[Signed] Friend Respon

In the Matter of Eugene Gonzalez, charged with Robbery

Eugene Gonzalez—I came from Sonoma to S. F. last night the 18th July 1851, on board the Webster. I was at Sonoma three days, doing nothing. I went from St Francisco to Sonoma to sell clothing, not having money to pay for a license to sell goods. I came to St. Francisco the money taken from me \$48.00 and a friend gave me to purchase goods at St. Francisco. I received the

[July 19, 1851]

wound in my back about one month ago, one night coming out of my Tent several shots were fired at me and one took effect

[Annotated:] Prisoner ordered into Custody

J. A. Kidd There was a man robbed between Sullivan's Creek and Sonoran camp by two Mexicans and an Irishman, he said they had taken 76oz of gold from him, they tied him; the Irishman was about 6ft and over red Hair and red Whiskers, the Mexican who assisted to tie the man was of middle size scar under left eye, had on a Panama Hat, the Boy appeared to be a half blood Mexican

The man went to Sonoro and gave a description of the men, when he gave the description of the Mexican, the Sheriff named him at once as Gonzales,

[Signed] J A Kidd

Attest S Payran

I would state that I know the same facts

[Signed] Luther F Frazer[?]

[Annotated:] Prisoner discharged on 25th July. Ex Committee Minutes

[Endorsed:] Prisoner in Custody order sent to Sonoro

Report of the Treasurer, Mr Delessert

This is Saturday—the evening appointed for payment of Jail's funds—the amount received is \$3,585.30^c brought by 96 members out of 623

[Signed] E. Delessert

Treasurer

[Letter from R. C. McIntire and A. J. McCarty]

San Francisco July 19th 1851.

The Members of the Vigilant Committee.

Gentlemen. Our names having been presented to the public thru' the confessions of one James Stewart to your Committee in such a manner as to reflect much discredit upon the character we have heretofore borne here and elsewhere—We have to request that you assist us—by the examination of such testimony as we may submit—and such as you may be possessed of—in placing ourselves respectively before the community as maligned

wound in my back about one month ago, one night coming out of
my tent several shots were fired at me and one took effect
[Annotated:] Prisoner ordered into Custody

J. A. Kidd There was a man robbed between Sullivan's
Creek and Sonoma camp by two Mexicans and an Irishman. He
said they had taken \$500 of gold from him, they tied him; the
Irishman was about 6 ft and over red hair and red whiskers.
the Mexican who assisted to tie the man was of middle size
scar under left eye, had on a Panama hat. The boy appeared to
be a half blood Mexican

The man went to Sonoma and gave a description of the men.
when he gave the description of the Mexican, the Sheriff named
him at once as George.

[Signed:] J. A. Kidd

Attest: S. Payson

I would state that I know the same facts

[Signed:] Luther F. Fryer

[Annotated:] Prisoner discharged on 25th July - Es Com-

mittee Minutes

[Annotated:] Prisoner in Custody order sent to Sonoma

Report of the Treasurer, W. Delaney

This is Saturday—the treasury amounted for pay ment of Jail's
funds—the amount received is \$4,355.30 brought by 90 men-
bers out of 623

[Signed:] W. Delaney

Treasurer

[Letter from E. C. Whittier and A. A. W. W. W.]

San Francisco July 18th 1851

The Members of the Vigilant Committee

Gentlemen. Our names having been presented to the public
this 'the conclusion of our duties toward to your Committee
in such a manner as to reflect much thought upon the character
we have heretofore borne here and elsewhere—We have to re-
quest that you assist us—by the examination of each testimony
as we may submit—and such as you may be possessed of—by
placing ourselves respectively before the community as witnesses

[July 19, 1851]

and injured men—resting secure as we do in our entire innocence of any participation in the charges heretofore made against us.⁵

We have the honor to be

Very Respectfully,

Your Obt Servants,

[Signed] Rob^t C McIntire

A J McCarty

[Annotated:] Rec^d. F. C. L. Wadsworth ordered to inform the writer that no charges were preferred as yet

[Letter from Col. J. D. Stevenson]

S. F.—19 July 1851

The bearer Jo^s. Mark is the man who detected and convicted the man Watkins for breaking into my office. He thinks he knows Jimmy from Town and perhaps some other of the *Gang*

I would suggest that he be permitted to see them without having any Communication with them I will vouch for his fidelity

[Signed] J. D. Stevenson⁶

A J Duffy Esq

Sgt at Arms of Vg Com^t

[Annotated:] Can be found at Co^l Stevenson, Thomson Pier—G. M. G. [Garwood]

[Addressed:]

A. J. McDuffy Esq.

[Offer of Service by Gregory's Express]

The facilities of Gregory's Express is tendered to the Committee will at all times ready to forward correspondence be-

⁵ The following card was printed in the *Evening Picayune*, July 18: "Messrs. Editors:—In the 'confessions' of the man Stuart, hanged by the Vigilance Committee, we see two of the blanks left in the previous publication filled now by our names. We pronounce the charges preferred against us *absolutely false*, and challenge any *living* man to prove them in the slightest particular. The man Stuart is dead, and unless the charges he made against us can be substantiated by living witnesses, it would certainly be very unjust for us to suffer in the estimation of our friends or the community. We appeal to the justice and good sense of the public to set us right in this matter.

⁶ See note 4, p. 208.

[July 19, 1851]

tween this, & other Committees of Vigilance in other Cities throughout the State.

respectfully,

[Signed] J W Gregory

Committee Room July 19, 1851

[Annotated:] Ordered on file and a vote of thanks in writing tendered to Mr Gregory &c

[Addressed:]

The President of the Executive Committee of the Committee of Vigilance

[Bond given by Captain White⁷]

July 17, 1851.

Know all Men by these Presents, That I, P. Jas. O. C. White, captain of the brig *Cameo*, bound for the port of Sydney, New South Wales, am held and firmly bound unto the commonwealth of Upper California, United States of America, in the sum of two thousand dollars, upon this condition: That I will deliver the body of one Alexander Wright, a convict, who has this day been put on board of my brig by the citizens of San Francisco, and for whom the Vigilance Committee have paid me the sum of one hundred dollars for the passage of said Alexander Wright to the aforesaid port of Sydney, dangers of the sea only excepted; and that I will present him to the authorities there, and not return him again to California, nor land him during this voyage at any intermediate port.

Witness my hand, this 17th day of July, 1851.

P. J. O. C. White.

In presence of A. Oaksmithe and Robt. S. Lamnot.

SUNDAY, JULY 20, 1851

MINUTES

Minutes Sunday Evening July 20th 1851

At a meeting of the Executive Committee held Sunday Evening July 20th 1851. Present Payran—Gorman—Garwood—

⁷ This paper, missing from the files, is reprinted from Bancroft's *Popular Tribunals*, I, 302.

tween this, & other Committees of Vigilance in other Cities
throughout the State.

Respectfully,

[Signed] J. W. Gregory

Committee Room July 19, 1851

[Annotated:] Ordered on file and a vote of thanks is vot-
ing tendered to Mr. Gregory &c

[Addressed:]

The President of the Executive Committee of the Com-
mittee of Vigilance

[Hand given by Captain White:]

July 19, 1851

Know all Men by these Presents, That I, J. W. Gregory, Captain
of the brig named found for the port of Sydney, New
South Wales, was held and truly bound into the Commonwealth
of Upper California, United States of America in the sum of
two thousand dollars upon this condition: That I will deliver
the body of one Alexander Wright, a convict who has this day
been put on board of my brig by the officers of San Francisco,
and for whom the Vigilance Committee have paid me the sum
of one hundred dollars for the passage of said Alexander Wright
to the aforesaid port of Sydney, charges of the sea only excepted,
and that I will present him to the authorities there and not
return him again to California, nor land him during this voyage
at any intermediate port.

Witness my hand, this 19th day of July, 1851.

J. W. Gregory

In presence of A. Coleman and John S. Lammont.

RECORDED, JULY 20, 1851

INDEXED

At a meeting of the Executive Committee held on July 20, 1851

July 20, 1851. Present: Gregory, Coleman, Lammont, &c.

This paper, which has the date is reported from Secretary
of the Vigilance Committee, J. W. Gregory.

[July 20, 1851]

Wadsworth—Schenck Bluxome—Graham—Huie—Curtis—
Ryckman Mellus—Bromley—Oakes—Ward—Woodsworth

On motion Mr Wadsworth was appointed to enquire whether
T B Key is now at liberty, and report to this Committee—

A letter was rec^d from the Rev^d Dr Mines giving his consent to
the publication of his letter rec^d last evening—& that said letter
be placed on file

Isaac Bluxome was appointed to get proof sheets from the
Herald of Dr Mines letter & hand the same to the *Alta & Courier*

The Committee then went into the examination of Silvanus
Everson for the Robbery of a Watch from the Eureka Hotel,
after a short examination the Prisoner was honorably dis-
charged.—

The Committee then went into the examination of James
Burns alies Jemmy from town. records on file

Adjourned to Monday Morning

[Signed] W^m C Graham

Sect^y

MISCELLANEOUS PAPERS

Flevel S Mines. San Francisco 19th July 1851.

San Francisco, 19 July '51

Gentlemen!

I have looked carefully over the letter you have requested for
publication, &, seeing nothing in it that I can wish to alter, re-
turn it as it was written, when no eye but yours was expected to
see it. It is only the facts, on which none of its expressions are
predicated, that I could wish to see altered—*they* can be altered,
only under the blessing of God, at the next elections, by the up-
rising of an indignant multitude yet left among us, who have
not entirely lost their regard for decency & law, & for the moral
& true welfare of their adopted country.

The letter is therefore at your disposal.

Very respectfully &c.

[Signed] Flevel S Mines

[Addressed:]

To The Committee &c &c &c

Present

[July 20, 1851]

[*Letter from Dr. Mines relating to Stuart*][From the *S. F. Herald*, July 21, 1851]

San Francisco, July 18, 1851.

Gentlemen,— I beg to acknowledge, and I do so with many thanks, the kind communication of the 12th instant, received on the 15th, wherein you are pleased to notice the services recently rendered by me on occasions of great solemnity, doubtless as trying to you as to myself.

On one of these occasions, I regret to say, to all human appearance, my ministrations were not of the least avail.¹ The unfortunate man, whom I had exhorted to depart this life with the prayer of Saint Stephen and of the penitent thief on his lips, employed the last moments of his earthly life, at least so long as he could speak, in exclamations of indecency, revenge, and blasphemy. I never before had seen the man that came so fully up to one's ideas of a being "given over," and no longer able to control the evil influences he had drawn around him, and it is risking nothing to say, with our knowledge of the laws and processes of the human mind, that the condition of mind in which I found and left him, could not have been attained but by a long-continued course of sin and crime. The dominant passion of his dying hour was the vindictive, which I labored without the slightest avail to soften, warning him how unsafe it would be to appear before God with so dark and deadly a passion rankling in his breast. But the fearful passion seemed now inseparable from his being, and he passed away apparently an unresisting prey to the evil influences he had gathered around him in life. I beg however to say, in correction of the report that he was insolent and rude, that he treated me personally with all the respect I could have looked for, and at parting said, "I am much obliged to you; God bless you!"

Much less is it true, that the man Stuart, (whose real name has not been given to the public,) received me rudely. When I first proposed to him my services, he did indeed insist that "it

¹ Dr. Mines, rector of Trinity Church, attended both Jenkins and Stuart previous to their execution by the Committee. He was also called for Whittaker and McKenzie (p. 531).

[July 20, 1851]

was not worth while." "I," said he, "have not thought of God for fifteen years; and I cannot expect that He would think of me in the few moments that are left me now. If there are everlasting burnings," he added, "I expect to go to them, for I have led the life that must take me to them." I reminded him that the fires were in his own breast, and if, in the moments left him, he could extinguish or subdue them by the tear of repentance and the blood of the Lamb, he might yet be saved. He said "it was too late; so great a work could not be done in so short a time." Besides, he hardly knew any longer, he said, whether the religion of his youth was true. After reasoning with him that the conviction of his mind, while it was yet unclouded by sin, and those of a large and excellent family (parents, he had told me, and eleven brothers and sisters), were more likely to be true than his, which had been darkened by a life of sin and passion; and after reasoning from the instance on the cross so like his own, and pressing on him the memories of his early baptism and youthful communions (as I ascertained) at the altars of his church, a change of thought and feeling appeared to come over him, greater and in a shorter time, than I had ever met with in my life before. At first, like Jenkins, he was vindictive, though certainly less sullen in his temper. At my second interview, he promised that he would try to lay aside the feelings in which it was so unsafe to die. At the third meeting (having left him a space to his reflections), he acknowledged the justice of his fate, and declared he could die without resentment and in charity with all, and that, with the crucified malefactor, he could confess that he received the due reward of his deeds, and could trust only in the mercies of the cross for pardon. As he declined my offer, twice made, to accompany him to his execution—although I should have persisted in going if I had supposed that such decorum would have prevailed—I begged him to renew those confessions in his last moments to those who might be near him; which I am gratified to learn that he did. As he died penitent, professedly and received the church's absolution, I afterwards desired the Coroner to have me notified of his funeral, that he might receive the rites of church burial. I did not get the notice.

[July 20, 1851]

I very much regret that I did not know of the suspicion of murder which, I now hear, rested on Stuart; for I am quite sure that if he had been put upon his conscience, he would have revealed to me information, to be made use of after his execution.

Long as this letter is, I cannot close it, gentlemen, without expressing the satisfaction felt, I do not doubt, by this whole community, and felt very deeply by myself, at the humane consideration of your Committee, in invoking the offices of religion on these trying occasions. The eternal world will undoubtedly bring more instances to light than the one recorded in the Gospels, in which, through God's unbounded mercies, good has triumphed over evil even in the last desperate moments of this mortal life. And while we so believe, we cannot hide from the eyes of the dying, however steeped in guilt, the light and healing of the cross!

May wisdom and moderation and a due regard to the dictates of humanity, continue to guide you in your difficult and self-imposed task! But, better still, may the day soon come when, in the judgment of all the good, the safety of our citizens and the restored tranquility of our city, shall make your terrible organization no longer necessary!—a result not to be looked for, we fear, until an outraged community, merging the trivial distinctions of political party, shall rise at the next polls and drive out profane and profligate, obscene and drunken ministers of law from their places, and raise men to power who have families and interests in the country, and at least shall be above suspicion and collusion with fiends and felons. It is really sickening to think how fair and beautiful might have been our world-renowned city, and how happy might have been its teeming population, where poverty is not known, and how much greater, too, that population itself might have been, this moment, and this in spite of all the felons in the land—if a purer ermine had rested on our judiciary and the officers and counsellors and makers of the law had all been decent men and above the influence of gold.

While it is to be hoped that these sad offices will be seldom required hereafter, yet, I beg to assure you, gentlemen, that in all cases, and especially such as like the two which have occurred already, are associated by the memories and ties of other days

I very much regret that I did not know of the suspicion of murder which I now hear, rested on Stuart; for I am quite sure that if he had been put upon his conscience, he would have revealed to me information, to be made use of after his execution. Long as this letter is, I cannot close it without, without expressing the satisfaction felt, I do not doubt, by this whole community, and felt very deeply by myself, at the humane consideration of your Committee, in removing the office of religion on these trying occasions. The eternal world will undoubtedly bring more instances to light than the one recorded in the Gospel, in which, through God's unbounded mercies, good has triumphed over evil even in the last desperate moments of this mortal life. And while we so believe, we cannot help turn the eyes of the dying however steeped in guilt, the light and healing of the cross!

May wisdom and moderation and a due regard to the interests of humanity, continue to guide you in your difficult and self-imposed task! But, better still, may the day soon come when, in the judgment of all the good, the safety of our citizens and the restored tranquillity of our city, shall make your terrible organization no longer necessary!—a result not to be hoped for we fear, until an outcast community, receiving the fatal distinction of political party, shall rise at the next polls and drive out from their places and raise men to power who have families and interests in the country, and at least shall be above suspicion and collusion with friends and foes. It is really astonishing to think how fair and beautiful might have been our world-renowned city, and how happy might have been its teeming population, where poverty is not known, and how much wealth, too, that population itself might have been, this morning, and this in spite of all the felons in the land—If a purer virtue had rested on our gall-slaves and the officers and commissioners and masters of the law and all poor desert men and above the influence of gold.

While it is to be hoped that these and others will be again required hereafter, yet I bow to assure you gentlemen, that in all cases, and especially such as this the two who have occurred already, are associated by the numerous and the of other days

[July 20, 1851]

with the church to which I belong myself, my services will be most cheerfully and gladly rendered.

I am, gentlemen, very respectfully,

Your obedient servant,

Flavel S. Mines

To Stephen Payran, Esq., President of the Executive Committee and Members of the Committee of Vigilance Committee of San Francisco.

N. Brown. Statement [Case of Emerson]

July 20th,

N Brown Sw[orn] This morning at 8 o'clock I saw that the watch was under my pillow. I then dressend & was shaved at Barbers leaving watch under pillow, on my way back I found I had it not—on going to my room found 'twas missing—I mentioned the fact to proprietor of Hotel—He went to room & then said there was a man seen opening 2 or 3 doors in the house.—a boarder said this (the prisoner) was the man.— Eureka Hotel was the house

[Signed] N Brown

[Endorsed:] Sylvanus Emerson Honorably Discharged.

[Emerson's Statement]

Sylvanus Emerson: Am from Kingston Mass I arrived here 2 years ago the 2^d Oct. next. Since then I have been to Marquesas Islands was 2^d mate in Brig *Ceroaster* I returned here in September last. I have been to the mines at Shaw's flat now at Holden's garden I have interest in claim there. I came here on the morning of 19th—I put up at Eureka Hotel—I eat breakfast there this morning did not eat there yesterday.—Last evening I was disguised in Liquor.—I came across Dr Merritt—I then went into Hotel.

Josiah Lockwood. The man came for a bed appeared intoxicated he went to bed so—I knew he had some specimens he had pledged one with me. I advised him to lock his door.

[July 20, 1931]

with the church to which I belong myself, my services will be most

cheerfully and gladly rendered.

I am, gentlemen, very respectfully,

Your obedient servant,

Edward S. Munn

To Stephen F. Brown, Esq., President of the Executive Com-

mittee and Members of the Committee of Vigilance Com-

mittee of San Francisco.

N. Brown, Esq., [Case of Brown]

July 20

N. Brown, Esq.: This morning at 5 o'clock I saw that the watch was under my pillow. I then dressed & was about to go to the door when I saw my key back I found I had it not—on going to my room found I was missing—I then turned the key in the door of the hotel—the door was open—said there was a man again opening 2 or 3 doors in the house—a porter said this (the porter) was the man—Brown Hotel was the house.

[Signed] N. Brown

[Enclosed:] Sylvanus Emerson. Respectfully discharged.

[Emerson's Statement]

Sylvanus Emerson. As from Kingston Mass. I arrived here 2 years ago the 24th day. Since then I have been to Massachusetts Islands was 24 days in this country. I returned here in September last. I have been in the mine at Silver Lake now at Hobbs' garden. I have interest in claim there. I came here on the morning of 19th—I put up at Hobbs' Hotel—I sat breakfast there this morning, did not eat there yesterday—I sat evening I was detained in Japan—I came across to America—I then went into hotel.

Joelish Lockwood. The man came for a bed, appeared in the room he went to bed as I knew he had some specimens he had pledged me with me. I did not see him to look his door.

[July 20, 1851]

A S Lum. One of the proprietors of the Eureka Hotel. There was a watch of Mr Brown missing—This prisoner came about 1½ past 12 had no money, deposited specimen man got up at 5 o'clock—I afterwards heard there was watch missing. He left at 8 returned at 12—Was requested to come up Stairs—He denied having opened any doors. Might be under influence of Liquor He afterwards recollected he had been in those rooms for his hdk's—He said he found his watch on nail & left.—

[Letter from N. C. Skinner]

Committee of Appeal

Gentlemen On 29th day of June I was detailed for Room Duty and was unavoidably absent—The cause was an urgent professional engagement which I was called upon to attend and could not leave the patient at the hours of duty—The *particulars* I gave to the Chief of Police who excused me at the time—But I see my name recorded in the Book of Fines—

I am

Very Respectfully

[Signed] N. C. Skinner

[Addressed:]

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To Secretary of Committee of Appeal—

[Order]

The Sergeant at Arms will notify six members of the Executive Committee to be in attendance at 6 O'clock P. M. of to day, to continue examinations²—You will please notify the members that the examinations will not be gone into until the Chairman & Secretary are present, being essential to connect the examinations taken with what may follow.

Respect^{ly}

[Signed] S Payran

[Annotated:] Gorham Huie Ward Graham Schenck Payran

² On July 19 and 20 the Committee heard evidence from several important prisoners, and the long examinations recorded give this undated order special significance in this connection. The heading of the statements which follow combines three endorsements made on separate groups of the twenty-three pages of manuscript report.

[July 20, 1851]

Statements of Prisoners

Adams Jemmy from Town (Burns) Brummy (Ainsworth)
 Harry Beck J. Marks July 19th & 20th 1851

William Wilson, I was arrested under the name of William Wilson, I was born in Juickham Buckinghamsire England, I left there in the year 1840, I left the Port of London, I left London in 1842 on Board the *Jane*, Capt Phillips bound to New Zealand my trade was Engineer and Millwright, I arrived in New Zealand in 1848, in the month of June I arrived at the Port Nicholson in New Zealand when I arrived there I went to work at my trade I worked there until 1850, I worked on Houses for Capt Ray until September 1850, in September 1850 I shipped on board the *Orion* with some Houses to put up in San Francisco to put up here for Capt Ray—I arrived in November last, when we came here Capt Ray could not put me on the Houses, I went to work for other People I went to work for a man by the name of Calcott in Happy Valley, I worked for a man by the name of Connolly a Shipwright, Connolly lived on the North Beach, he is dead, I left Mr Connolly about four months ago, since which I have worked for myself at making taps and Dies for screw Cutting, I made them for Calcott who worked for one of the large Engine Shops in Happy Valley kept by Calcott, I worked at this business for Calcott until within the last three months, I bought a Boat of a Man by the name of Kitchen, he, Kitchen then lived at Clarks Point, his name was William Kitchen.—I paid Kitchen \$75 for the Boat, I bought provisions &c & went as far as Sacramento, the persons who went with me were, a man by name of Thomas Welsh, James Robinson, and myself—from Sacramento we went to Marysville, when we got there I was taken bad, and finally had to come back to Sacramento, I went to a place opposite Sacramento City on the American Fork, at this place there was a man by the name of Miner, one by the name of Thomas Brown, and Welsh—

—being confronted with Hays³ Prisoner denied everything,

³ William H. Hays was under suspicion as a thief on his own account. His testimony proved so useful in identifying Adams, Burns, etc., that the Committee produced him in court at the time of the latter's trial (S. F.

[July 20, 1931]

Statements of Prisoners

Adams, Jimmy (from Town (Barnes) (Barnes))
Henry Beck, J. Marks July 12th & 13th 1931

William Wilson. I was arrested under the name of William Wilson. I was born in Ipswich, Massachusetts, England. I left there in the year 1840. I left the Port of London. I left London in 1842 on board the Jane, Capt Phillips bound to New Zealand. My trade was Hager and Millwright. I arrived in New Zealand in 1845, in the month of June. I arrived at the Port Nicholson in New Zealand when I arrived there I went to work at my trade. I worked there until 1850. I worked on board the ship until September 1850. I shipped on board the ship with some Hager to put up to San Francisco to put up here for Capt Ray—I arrived in November last, when we came here Capt Ray could not put me on the ship. I went to work for other people. I went to work for a man by the name of Calvert in Happy Valley. I worked for a man by the name of Connolly a Shipwright. Connolly lived on the North Beach, he is dead. I left Mr Connolly about four months ago since which I have worked for myself at making tape and Dies for screw cutting. I made them for Calvert who worked for one of the large Engine Shops in Happy Valley by Calvert. I worked at this business for Calvert until within the last three months. I bought a boat of a Man by the name of Kitchen, he Kitchen then lived at Clark Point, his name was William Kitchen—I paid Kitchen \$75 for the boat. I bought provisions &c & went as far as Sacramento, the people who went with me were a man by name of Thomas Welsh James Hudson, and myself—from Sacramento we went to Marysville, when we got there I was taken bad, and finally had to come back to Sacramento. I went to a place opposite Sacramento City on the American Fork; at this place there was a man by the name of Miner, one by the name of Thomas Brown, and Welsh—

—being confronted with Henry, Prisoner denied everything.
William H. Hays was under suspicion as a thief on his own account. His testimony proved to be false in material instances, and that the Committee produced him in court at the time of the latter's trial (2, 3).

[July 20, 1851]

until Hays asked him whether he recollected (it was about 3^d of July) the Indians making a noise at the top of the Hills—when Adams asked whether it was not the 4th of July—

Examination in Chief resumed

My name is George William Adams—My statement about buying the Boat from Kitchen for \$75 is false, Kitchen got my \$75 and I did not get the Boat, I was taken by the Police for being concerned with Watkins in robbing Stevensons Office—they kept me some time, I broke out again, being twice that I broke Jail, I looked about in San Francisco for my clothes & Tools to go to work again, I could not get them while thus engaged they (the Police) took me the third time, put me in Prison I was waiting for the trial wherein Col Stevenson was Prosecuted, I made my Escape again I had not been tried, never have been tried for that offence, by reason of my escape⁴

There was a Boat taken from Angel Island by a man by the name of Watkins, I was accused of taking that Boat, I went into Mr Austin's House on Broadway near the Jail on top of the Hill, he told me that his Boat had been taken from Angel Island and thought that I had got it, I told him that I had not got it but thought [I knew] who had—he, Austin told me that if the Boat was of any use to take it and get away that I were hunted and would be punished for Col Stevensons robbery

I took the Boat from Watkins and took with me Jenny from Town (Burns) Welsh—a Boy Switzer, another by the name of James Moore, & [. . .] Goldsmith and went to Sacramento—my money was all gone all left me at Sacramento but Welsh

Welsh & myself went to Marysville, we went in the same Boat, myself Welsh and Hays and Jenny from Town (who is now present before me) went in the Boat to Marysville—we all seperated each tried to do the best he could for himself I being sick Welsh came back in the Boat with me, there was some dis-

Herald, July 29), but refused to give him immunity, as state's evidence and sentenced him to leave the state. See pp. 376, 418.

⁴ The three escapes of Adams were reported in the *Alta California*, April 23, May 7 and June 3, 1851.

San Francisco Committee on Vigilance of 1851 315
 [July 20, 1851]
 with Hays asked him whether he recollected (it was about 3rd of July) the Indians making a noise at the top of the hills—
 when Adams asked whether it was not the 4th of July—

Examination in Chief resumed

My name is George William Adams—My statement about buying the Boat from Kitchen for \$15 is false, Kitchen got my \$15 and I did not get the Boat. I was taken by the Police for being connected with Watkins in robbing Stevenson's Office—they kept me some time. I broke out again, being twice that I broke Jail. I looked about in San Francisco for my clothes & Tools to go to work again. I could not get them, while they suggested they (the Police) took me the third time out me in Prison. I was waiting for the trial wherein Col Stevenson was Prosecuted. I made my Escape again. I had not been tried, never have been tried for that offense, by reason of my escape.

There was a Boat taken from Angel Island by a man by the name of Watkins. I was accused of taking that Boat. I went into Mr Austin's House on Broadway near the Jail on top of the Hill, he told me that his Boat had been taken from Angel Island and thought that I had got it. I told him that I had not got it but thought [I knew] who had—he Austin told me that it was Boat was of any use to take it and get away. That I were wanted and would be punished for Col Stevenson's robbery.

I took the Boat from Watkins and took with me Henry from Town (Burns) Walsh—a Irish Scouser, another by the name of James Moore & [] (Bob Smith and went to Sacramento—my money was all gone. All left me at Sacramento, but Walsh Walsh & myself went to Marysville, we went in the same Boat, myself Walsh and Henry and James from Town (to be now present before you) went in the Boat to Marysville—we all separated each tried to do the best he could for himself. I being sick Walsh came back in the Boat with me, there were some other

Hovell, July 20th, but refused to give the minutiae of state's evidence and answered him to leave the state and get out.

*The three copies of Adams were received in the City of San Francisco April 22, May 7 and June 4, 1851.

[July 20, 1851]

turbance between Hays and Jenny from Town, in consequence of which I and Welsh left them and came down to Sacramento

when I got to Sacramento I went opposite to Sacramento, where there is a House and two Tents, kept by Brown—the other was kept by myself—on Friday night the 18th we had loaded up the Boat with several Boxes & sails, Thomas Roundhead alias Ainsworth—assisted me, we intended to come down to San Francisco, and ship for Sea, before we could carry out our plans we were arrested by the officers—the Boat & Goods were taken from us⁵

[The following bill of sale is here attached to the testimony:]

San Francisco April 6th 1851.

This is to Certify that I William Kitchen sold to William Wilson one yawl boat painted black outside and green inside for the sum of seventy five dollars and I furthermore agree to warrant and defend the said property in witness whereof I set my hand and seal (seal)

[Signed?] William Kitchen

Witness Robert Nelson⁶

Upon being shown a receipt dated April 6th 1851 signed William Kitchen, & witnessed by Robert Nelson—Prisoner replies, that having been arrested before he had purchased a Boat from Kitchen, and not being able to get off and after Austin permitted him to take the Boat from Watkins, which Watkins had stolen from Angel Island, he got Kitchen to make a Bill of Sale for it as if he had bought it of him—Jemny from Town liberated me from Prison—he liberated me by my instructions, I unlocked the door of the Cell, and Jemny from Town cut through the wall with other help—the frenchman Goldsmith helped him—Jemny was a Prisoner at the same time, I unlocked the door and let him in—Switzer the Boy, who was a Prisoner gave me the key—I opened the Cell door and let Jenny from Town in who cut the Hole under the House by which we escaped—

⁵ The *S. F. Herald*, July 21, stated that Adams had been arrested on Thursday, the 17th, discharged, and re-arrested on Friday, the 18th.

⁶ The signatures of principal and witness are in the same handwriting.

[July 20, 1851]

(*Being shown the Pistols, Chisel, Skeleton Keys*) states that he has seen them in Possession of Jemmy from Town (Burns) and observed that they were strong proof I believe Jemmy from Town was a thief—when drunk he always confessed the fact; he was not engaged with me the night I assisted in the robbery of Stevensons office, Watkins a Dutchman—& Marks—

[Adams' statement is continued on p. 319.]

Statement in the Case of Jemmy

My name is James Burn alias Jenny from Town I was born in County of Whitlow Ireland, I am 22 years of age I left Ireland fifteen years ago, I left in a Steamer & came to Liverpool, I then went to sea in an American ship called the *St Petersburg*—I went in her to N York back to Liverpool, then to New Orleans, & back to Liverpool & then left her—I then joined the *Susan Drew*, I was two years in her—I left her and Shipped on board the *Hamblin* made one voyage in her to New Orleans back to Liverpool, I then shipped on the *General Parkhill*, I left her in Charleston, and came on to Mobile, I worked some time about the Bay & sometime in the Steamboats, I run the U. S. Mail at Texas on the *James L. Day* Capt Reynolds left on the Steamer *Fashion* for Fort Labacca with Capt Fellon—I came to California fr. Chagres—I came on the *Tennessee* to S. F. about last April 12 mos—I left the Boat here—I went from here to Sacramento from thence to Mormon Island—came down to Sacramento, worked there awhile came down to San F—worked a little here—I recollect a Boat taken by Watkins from Angel Island, it was the same boat in which myself Slasher,⁷ Goldsmith, W^m Welsh and George Adams and James Moore made our escape after we broke Prison—Adams opened the Cell Goldsmith & myself broke the Wall, the Burglars tools came into my possession three weeks ago and were given me by a young man by the name of James Miner, who lives at the Fremont House on J. Street Sacramento City to give to Adams—I did give them to Adams Adams took the Tools to Marysville, Adams and me fell out, we went up in a Boat, myself Goldsmith, Slasher, James Moore, George Adams & Billy Welsh and

⁷ The Slasher was an alias of Switzer. *Alta California*, June 29.

[July 20, 1851]

William Hays—I recollect being at Brown's opposite Sacramento, I staid there to keep from Adams—I helped Adams to escape from Prison under Adams instructions, I was in Town at the time of the Robbery of Col Stevensons office, I stopped at a womans House on Stockton street by the name of Gamble, she had a Husband, they were from Sydney—they then lived between Clay & Washington Streets in Stockton St, they live now at a place called Bagdad 15 Miles above Marysville—goes now by the name of Glover—this Gamble was accused of stealing (Jewelry) and I left the House—

July 20th 1851—Joseph Marks— *Jemmy from Town being brot in* I know the prisoner—by the name of James Burns—he was brot in the 3^d District Station House for stealing a trunk—he had the close in a hdkfs on him they belonged to trunk—He was the man that was with Adams & Watkins on the Wharf near Stevenson's office—his alias is Jemmy from Town—

Cross-Ex—I saw prisoner in conversation with Adams

Prisoners questions—I saw you at night speaking to Adams—(Adams brot in) I know that Prisoner is George Adams—(Prisoner says he knows Marks)—first time I saw Adams Watkins thats now in Jail introduced me to him—told me at same time that he belonged to his gang that would like to have him go & assist at Stevenson's office—Adams went down one night & tried to open the front-door but could not succeed—Soon after we went up onto the Square—we sat down before the California Ex:—he told me then 'twould be best to go down & try to get the impression of the keys of the office door.—& if I would come to his house next morning he would show me how to get impression—I went round—Watkins G. Adams & Seymour were all there together—Watkins went to room alongside the bar room & got a piece of soap—Adams went up stairs & got a bunch of 50 or 60 false keys.—he picked out a key & showed me how to take the impression of the keys.—Afterwards I went down to the office & took the impression as they had shown me.—I carr^d piece of soap in my pocket so by time I got to house they could not see impression—Adams asked me if Mr Reynolds the Clerk of Col. Stevenson had the key in his pocket every night—I told

(July 20, 1851)

William Hays—I recollect being at Brown's opposite Sacramento. I stand there to keep from Adams—I helped Adams to escape from Prison under Adams' instructions. I was in Town at the time of the robbery of Col Stevenson's office. I stopped at a woman's house on Stockton street by the name of Gamble. She had a husband, they were from Sydney—they then lived between City & Washington Streets in Stockton St. they live now at a place called Bagdad 15 Miles above Marysville—now now by the name of Elmer—this Gamble was accused of stealing (Jewelry) and I left the House.

July 20th 1851—Joseph Barker—Leaving from Town being told in I know the prisoner—by the name of James Harris—he was kept in the 3^d Prisoner Station House for stealing a trunk—he had the key in a belt on him they belonged to trunk—He was the man that was with Adams & Watkins on the Wharf near Stevenson's office—this man is James from Town—

Col. Hays—I saw prisoner in conversation with Adams—Prisoner questions—I saw him at night speaking to Adams—(Adams said he) I know that Prisoner is George Adams—(Prisoner says he knows Barker)—That time I saw Adams Watkins there now in Jail introduced me to him—told me at same time that he belonged to his gang that would like to have him go to a night at Stevenson's office—Adams went down one night & tried to open the front door but would not succeed—Soon after we went up into the square—we sat down before the Jail for a while Adams told me then "I would be best to go down & try to get the impression of the key of the other door—& if I would come to his house next morning he would show me how to get impression—I went round—Watkins, G. Adams & Stevenson were all there together—Watkins went to room alongside the bar room & got a piece of soap—Adams went up stairs & got a bunch of 50 or 60 fine keys—he picked out a key & showed me how to take the impression of the key—Afterwards I went down to the office & took the impression as they had shown me—I carried piece of soap in my pocket so for time I got to know they could not see impression—Adams asked me if Mr. Hays told the Clerk of Col. Stevenson had the key in his pocket every night—I told

[July 20, 1851]

him I was not sure but tho^t likely he had—He then told me to watch Reynolds—& let him know where he was going that night—Said at same time in case he could not get the keys—that they would knock him over & take the keys from him I went down to Stevensons again next day & took the impression again—took it up to Adams & then Adams Watkins & Seymour went to work & made the false keys—they then told me they would meet me at Stevensons office between 8 & 9 that night—to commit the robbery After 9 I met them on Long Wharf. Adams & Watkins then went over to Stevensons opened the door with the keys & went in. That's all I know about it. They placed me outside of the door I remained there until they were taken—Watkins, Adams Seymour & Brier.—Mr Reynolds was informed by me that they were going to take the keys from him & to be on his guard.—I became [acquainted] with the parties through Seymour while I was at Bryant House knew S.—

Prisoners Questions—I became acquainted with Seymour by giving him wine to sell while I kept the old Bryant—He sold the articles & kept the money—I had no dealings about the coining Shop. I gave the man that kept that Shop notice the night before that they were going in there.— Before the Recorder I stated that Watkins opened the house went up stairs & while he was lighting a candle one of the proprietors came in. he then blowed out the light & went away. (this was Schultz)—I never said that I told of them because they acted dishonorably in this transaction. The plan of robbing Col Stevenson was going on the same time that the attempt was made on Schultz's

[Signed] J Marks

Attest S Payran

Adams— I know Stuart. I never had any connection with [him] I have seen him frequently—he was tall thick limbed considered desperate. 'Twas whispered about that he was a horse stealer. I have seen him in the company of Whittaker, Mc Cormick, Hughes & Belcher Kay.—I saw 'em at Port Phillips House on Jackson St.—kept by Mc Cormick & Whittaker.—I never had dealings with Belcher Kay. as regards any night work—out door work—I have been asked by constables at Station

[July 26, 1851]

him I was not sure but that likely he had—He then told me to watch Reynolds—& let him know where he was going that night—Said at same time in case he could not get the keys—that they would knock him over & take the keys from him I went down to Stevensons again next day & took the impression again—took it up to Adams & then Adams Watkins & Seymour went to work & made the false keys—they then told me they would meet me at Stevensons office between 8 & 9 that night—to consult the robbery After 8 I met them on Long Wharf Adams & Watkins then went over to Stevensons—opened the door with the keys & went in That's all I know about it They placed me outside of the door I remained there until they were taken—Watkins Adams Seymour & I then—Mr Reynolds was informed by me that they were going to take the keys from him & to be on his guard—I became (acquainted) with the parties through Seymour while I was at Hyams House between 8—Prisoners Question—I became acquainted with Seymour by giving him wine to sell while I kept the old keys—he sold the articles & kept the money—I had no dealings about the clothing shop I gave the man that kept that shop notice the night before that they were going in there—Before the fire order I stated that Watkins opened the house went up stairs & while he was lighting a candle one of the proprietors came in he then showed out the light & went away (this was Robert)—I never said that I told of them because they stole diamonds in this transaction The plan of robbing Col Stevensons was made on the same time that the attempt was made on Roberts

[Signed] J. Adams

Attest S. Payton

Adams—I know Robert I never had any conversation with [him] I have seen him frequently—he was tall thick limbed considered desperate There whispered about that he was a horse stealer I have seen him in the company of Watkins Adams, Smith, Hughes & Jackson Key—I was in at Long Wharf House on Jackson St—told by Mr Charles & Watkins—I never had dealings with Jackson Key as regards any night work—out door work—I have been asked by constables at Stevensons

[July 20, 1851]

H whether B. Kay was not engaged in Stealing affairs—I was here when Janson was robbed—I was living on Dupont St. near Polk St with M^{rs} Regan. I was left in charge by him when he went to mines—I never heard a word about that robbery at that time.—I have heard some talk about the *James Caskie* from the parties who committed the robbery—I have heard Edwards threaten to shoot Jemmy from Town for speaking to a man named Kelly^s about that transaction. Stuart was concerned.—I lately have heard that Stuart committed murders—I have seen Jim Briggs—Know Teddy M^c Cormick. I once heard that Jimmy from Town had exploded a safe. I have heard that Brommy was a notorious thief & every thing that was bad.—I know something about the robbery at Minturns—Edwards, M^cCormick & Whittaker came to me one night, to borrow some tools I asked what for—they told me—I told them I couldn't lend the things without going with them & getting a share. they refused letting me go, but stated they would reward me if successful for the loan of the things—they took the things. I dont remember whether B. Kay was concerned in that affair—I dont know any thing about robbery of safe in Kearney Street.—I have been at Angel Island—at Wilders house. Wilder knows me. Watkins was with me there.—I did not take any money from Wilder which I had to give back after I was arrested. I have heard Whittaker & gang speak of M^cIntyre & M^cCarty. they seem to say they were right men.

I heard that owing to the bad management of some men outside they had failed to carry out the plan so I got nothing. I know William Yates. I have heard he was a white smith—never made tools for me—Welsh knows about the robbery of the Butcher Shop—I know that Edwards & Whittaker were in that robbery—I did not take the window out—I was not present at the robbery at Minturns. I heard by papers some time ago that there was a plan to rob M^cCondray's—They—Stuart Whittaker &c looked upon me as an outside man & with some contempt. I never had to do with any jewelry affair.—(*tools shown*)

^s James Kelly, "the fighting man," was also implicated by Whittaker and McKenzie. The Committee made two unsuccessful attempts to arrest him.

[July 20, 1931]

He whether B. Kay was not engaged in stealing efforts—I was here when Jackson was robbed—I was living on DuPont St near Polk St with Mr. Kegan. I was left in charge of him when he went to mine—I never heard a word about that robbery at that time—I have heard some talk about the James Cagney from the parties who committed the robbery—I have heard Edwards threaten to shoot Jimmy from Town for speaking to a man named Kelly about that transaction. Stuart was concerned—I lately have heard that Stuart committed murders—I have seen Jim Briggs—Knew Toddie Mc Cormick. I once heard that Jimmy from Town had exploded a safe. I have heard that Jimmy was a notorious thief & every thing that was bad—I know some thing about the robbery at McIntosh—Keweenaw Mc Cormick & Whittaker came to me one night to borrow some tools. I asked what for—they told me—I told them I couldn't lend the things without giving them & getting a share. They refused leaving me go, but stated they would reward me if successful for the loan of the things—they took the things. I don't remember whether B. Kay was concerned in that affair—I don't know any thing about robbery of safe in Kearney Street—I have been at Angel Island—at Whittaker house. Whittaker knows me. Whittaker was with me there—I did not take any money from Whittaker. I had to give back after I was arrested. I have heard Whittaker & gang speak of St. James & Mr. Carter. They seem to say they were right men.

I heard that owing to the bad management of some men outside they had failed to carry out the plan as I got nothing. I know William Yates. I have heard he was a white knight—never made tools for me—Wells knows about the robbery of the Butcher Shop—I know that Edwards & Whittaker were in that robbery—I did not take the witness out—I was not present at the robbery at McIntosh. I heard by papers some time ago that there was a plan to rob Mc Cormick's—They—Stuart. Whittaker & I looked upon me as an outside man & with some other things. I never had to do with any jewelry affair.—(looks down)

* James Kelly, "The Further East," was also implicated by Whittaker and McIntosh. The Committee made two unsuccessful attempts to arrest him.

[July 20, 1851]

Those pistols I believe belonged to Welsh—they had no way of getting meals but by sacrificing those pistols. Welsh gave them up for the maintainance of the 3—when W. came away he went to the landlord of the house & asked for them—he said that Jemmy from T—& Hays had had so much upon the pistols that he couldn't think of giving them up—the Boy had to come away without his pistols.—I have seen the keys in Jemmy from Town pocket while in the boat. the knippers did belong to Watkins.—the Chisel I dont know about—Jemmy-from-Town secreted the knippers.—I cant say J.-from-T. used them.—⁹

Jemmy from Town— I never robbed a safe in Broadway—I was not on board the *Caskie*.—I was stowed away on board the *Tennessee*.—I never took a dollar from *Newworld* in my life.—I gave the things to Adams & then took them away for fear he would do away with them.—I have seen Slasher in San Francisco.—Adams threw a part of the tools into the river.—I took the balance of the things for spite I fell out with him.

John W. Baker— I know the man. the tools came into my possession by the man coming to my bedside & asked me to take care of them. I went to one of the V. C. 5 min. afterwards, showed him the tools, he took bundle to the committee room—then returned them saying Baker take care of them the pris: will be sure to call for them again. I put them in my tool box

The prisoner had started off to Long's bar or Bidwells Bar.—

Jemmy from Town— The man said I have use for the tools if you have not. I said I am going to throw them into the River.

Thomas Ainsworth Some call me Tommy Roundhead—I am not Big Brummy he is in the Hospital at San Francisco shot. When McIntire arrested me for a charge of Burglary, he obtained a warrant for Richard English, when he brought me down I was discharged Mc Intire & Capt Mc Carty did this out

⁹ For Adams' further statement see pp. 410-413.

Those pistols I believe belonged to Welsh—they had no way of getting them but by acquiring those pistols. Welsh gave them up for the maintenance of the 3—when W. came away he went to the landlord of the house & asked for them—he said that Jeremy from T—& Hays had had no much upon the pistols that he couldn't think of giving them up—the boy had to come away without his pistols—I have seen the keys in Jeremy from Town pocket while in the boat. the knippers did belong to Watkins—the Chisel I don't know about—Jeremy from Town secured the knippers—I can't say I from T. need them—

Jeremy from Town—I never robbed a safe in Broadway—I was not on board the Castle—I was stowed away on board the Tennessee—I never took a dollar from Jeremy in my life—I gave the things to Adams & then took them away for fear he would do away with them—I have seen Shaker in San Francisco—Adams threw a part of the tools into the river—I took the balance of the things for spite I fell out with him.

John W. Baker—I know the man. the tools came into my possession by the man coming to my bedside & asked me to take care of them. I went to one of the V. C. 5 min afterwards showed him the tools he took handle to the committee room—then returned them saying Baker take care of them the next will be sure to call for them again. I put them in my tool box. The prisoner had started off to James's bar on Berkeley Street.

Jeremy from Town—The man said I have not for the tools if you have not. I said I am going to throw them into the River.

Thomas Alinsworth. Some call me Tommy Headbend—I am not his Jimmy. he is in the Hospital at San Francisco shot. When Mr. Intine attended me for a change of bandage, he obtained a warrant for Richard English, when he brought me down I was discharged. Mr. Intine & Capt. M. Carr did this not

[July 20, 1851]

of spite.—Because I had a row with Fallon¹⁰ my name had been used to their disparagement. I came from London born just out of it. I came to Valparaiso in Bark *St George*. I was an apprentice on board taken sick went to hospital got my discharge—arrived here 1 year last October in Ship *Resolute*—I first went to work discharging ships about a month, after then I squatted at Mission Dolores—on some lots—for 3 weeks—I returned to San F—commenced making shirts for Cooper & Co till I was arrested.—Some parties, Crosseye Read, Doward, had me arrested for stealing pickles was sentenced for 12 mos—I served part of the time (—from 28th Jany—to June—) when Malachi Fallon took \$250 from me & gave me my liberty & made me Captain of Bark *Tecumseh*; Never gave me wages. I remained there 'til he arrested me again.—Fallon looked queer at me & when the prisoners were sent away Fallon took me aside & asked me what I could give I told him & he said he would see what he could do—he took me to Bryant House & we drank & stood talking in Square—He then put me on board the prison Brig¹¹ for six mos. the Captⁿ of the Brig, Colwin, sent me ashore to take care of his garden. Fallon came aboard one day & said he could make it right—we went ashore & I gave him the money. Which was with Martin in Clay Street.—He told me to come & see him. When I went to see him he said he wanted some one to take charge of ship; So I was in his power & had to go on board—I remained until I had a row with him for refusing to go thieving—He told me there were some of the best Mines of California in San Francisco said were some men in Stockton St who had committed a large jewelry robbery in Clay St (this was about October)—he said they were Stuart—& asked me if I would do him a favor said I could make money & he too. he wanted me to go & work myself in with those men and commit some robberys—the men that keep the house was W^m Gambal is now at Bagdad—I refused I was surprised at the plans he showed me—he assured me there should be no risk on my side

¹⁰ Malachi Fallon was the city marshal in 1850. Soulé, *Annals of San Francisco*, 273.

¹¹ The brig *Euphemia* was bought, in 1849, for use as a prison ship. *Ibid.*, 233.

[July 20, 1831]

of spite—Because I had a row with Fallon my name had been used to their disparagement. I came from London born just out of it. I came to Valparaiso in Bark St George. I was an apprentice on board taken sick went to hospital got my discharge—arrived here I went last October in ship Washburne—I first went to work discharging ships about a month after then I apprenticed at Mission Dolores—on some jobs—for 2 weeks—I returned to San F—commenced making shirts for Cooper & Co till I was arrested—Some parties, Crosskey, Reed, Doward, had me arrested for stealing pickles was sentenced for 12 mos—I served part of the time (—from 22nd Jan'y—to June—) when Malachi Fallon took \$250 from me & gave me my liberty & made me Captain of Bark Teanowish; Never gave me wages. I remained there till he arrested me again.—Fallon looked over at me & when the prisoners were sent away Fallon took me aside & asked me what I could give. I told him & he said he would see what he could do—he took me to Bryant House & we drank & stood talking in square—the then put me on board the prison brig for six mos. the Capt. of the brig, Colburn, sent me orders to take care of his garden. Fallon came aboard one day & said he could make it right—we went ashore & I gave him the money. Which was with Martin in Clay Street—He told me to come & see him. When I went to see him he said he wanted some one to take charge of ship. So I was in his power & had to go on board—I remained until I had a row with him for refusing to go fishing—He told me there were some of the best fishes of California in San Francisco. said some men in Stockton St who had committed a large fishery robbery in Clay St. this was about October—he said they were strong & asked me if I would do him a favor. said I could make money & he said he wanted me to go & work myself to with these men and commit some robbery—the men that kept the house was Wm. (thunder) is now at Highland—I refused. I was surprised at the time he showed me—he wanted me there should be no risk on my side

to Malachi Fallon was the ship named in 1831. Same name as the Teanowish.

to the ship Teanowish was bought in 1831 for use as a prison ship.

Idell, 1831.

[July 20, 1851]

—he said the merchants were satisfied to leave everything to him
—He said I must be with them when they did anything & be in to divide & he would then come in to arrest.—He said I could get away in the Scuffle—& take away what I could get hold of. Fallon would take the rest deliver up a part to those robbed & we would divide the balance of what F— kept & what I had.—I refused—he said he would arrest me again—I dared him.—There was a force pump aboard the ship I had charge of F— sent a man to take it away while I was absent, then he accused me of selling it.—I found out afterwards who the man was & that he had sold it to Mr Rudsdale—I told F— of it & had another row—the man's name who took pump was Sands the man that got the vessel up.—I then left the ship that same evening while lightering from *Lucas* about 5 o'clock in P M. tide not serving had to make fast to a Pile—about 11 o'clock discharged onto wharf—next morning they were all gone—stolen—I believe Fallon had them taken away—I was told they had been taken to Stockton I followed them up—I could not find them so returned—was taken with Cholera— after I got out was arrested for stealing these goods by Fallon—the goods belonged to Mr Dubosque—I was in jail 30 days before I could get a hearing—& not till then did Mr Dubosque know of it.—My Counsel took me before the Recorder & he tried me & discharged me—My counsel was Mr Freeland. As I was coming out (Mr Dubosque said he had not known of my arrest & was sorry for it) the Marshall's clerk arrested me. told me the Marshall wanted to see me—Said the M— was going to a funeral & I had to stay till he got back—they kept me in prison for about 2 mos—Mr Freeland went to know the reason & Fallon told him I was an escaped Convict—I asked Mr F— whether I should in that case have been found on board Fallon's Ship & about his office. When M. T O'Connor came back from the States—I sent for him as he had been my counsel before I told him how the case stood & he said he would have me out of it in an hour.—which he did do—O'Connor got out a habeas corpus, but Fallon said 'twas not necessary & made out my discharge.—Shipped on board Bk *Alexandria* as cook & steward—soon as I got money I paid Mr O'Connor—I think Fallon p^d O'Connor not to sue him on my account Fallon

—he said the merchants were satisfied to leave everything to him—
—He said I must be with them when they did anything & be in
to divide & he would then come in to arrest—He said I could
get away in the *Souther*—I take away what I could get hold of.
Fallon would take the rest—deliver up a part to those topped
& we would divide the balance of what F— kept & what I had—
I refused—he said he would arrest me again—I dared him—
There was a force pump aboard the ship I had charge of—F—
sent a man to take it away while I was absent then he resumed me
of selling it—I found out afterwards who the man was & that
he had sold it to Mr. Boshale—I told F— of it & had another
row—the man's name who took pump was Sands—the man
that got the vessel up—I then left the ship that same evening
while lightning from *Lava* about 2 o'clock in P. M. tide not
serving had to make fast to a pile—about 11 o'clock discharged
onto wharf—next morning they were all gone—where I believe
Fallon had then taken away—I was told they had been taken to
Stockton—I followed them up—I could not find them so re-
turned—was taken with (holders—after I got out was arrested
for stealing their goods by Fallon—the goods belonged to Mr.
Dubouche—I was in jail 30 days before I could get a hearing—
& not till then did Mr. Dubouche know of it—Mr. Connell took
me before the *Honorable* & he tried me & discharged me—My name
was Mr. Presbitt. As I was coming out (Mr. Dubouche said
he had not known of my arrest & was sorry for it) the *Honorable's*
clerk arrested me—told me the *Honorable* wanted to see me—Said
the *Me*—was going to a funeral & I had to stay till he got back—
they kept me in prison for about 2 mos—Mr. Presbitt went to
know the reason & Fallon told him I was an accused convict—
I asked Mr. F— whether I should in that case have been found
on board Fallon's ship & about his office. When Mr. F O'Connor
came back from the States—I was for him as he had been my
counsel before—I told him how the case stood & he said he
would have me out of it in an hour—which he did the O'Connor
got out a habeas corpus, but Fallon said it was not necessary &
made out my discharge—Signed on board the *Presbitt* as
cook & steward—when as I got money I paid Mr. O'Connor—I
think Fallon by O'Connor not to see him on my account—Fallon

[July 20, 1851]

stopped me one day, said "see here young man I understand you are going to sue me."—I said "you have used me bad & I will send you my act to settle" "he said he would have me in chain gang in another fortnight"—I walked off—O'Connor said I had better drop it—as Fallon had been to the Mayor & said that I had information that would further the ends of justice & that I had better be let off & therefore there would be no use in my trying to get anything by suing. as Fallon had proved that I had been convicted—Mr Fallon has got boats & goods of mine to this day on board *Tecumseh*—I went on board the *Comet*—then I left & went to Sacramento. I was arrested (while I was at Mr Forsyth's in 4th St. upholsterer) by Mc Intyre on a warrant for Richard English—after I got through that I went back to Sacramento—the Police then seemed to consider me a thief so I left for the mines. There I stayed at Bagdad till last week, then I came down to Sac. then I was arrested at Sac. yesterday by one of the V. C.

Cross Ex. I know Russel—I am Russel I know Russel the Tinker, he did live at Chinese Camp—I stopped at his house "board & lodging by Mrs Russel" was stuck up. that was last October—Big Brummy came into the station house the last time I was there—I saw him last about 2 mos ago—Jimmy from Town told me Brummy was in the Hospital.— The *Tecumseh* was not used as a store ship—

Cross Examination

How do you know the man Stuart that came on board prison Brig was the one we hung? I heard his name was Jim Stuart & knew no other Stuart—

I got the \$250.—which I paid Fallon from my earnings & from the sale of my Mission land for which I rec^d. Seventy dolls.—also Mr Martin lent me \$56—No one heard me in conversations with Fallon—I am known to many merchants in this city as a Lighterman—I lightered goods from the "*J Q Adams*" for Galland Hart & Co & others—I took the name of Russel in order to get clear from Fallon & clear myself from previous charges laid upon me—I first took the name of Russel when I went on board the Bark "*Alexandria*"—

[July 20, 1921]

stopped me one day, said "see here young man I understand you are going to see me."—I said "you have need me bad & I will send you my act to settle."—he said he would have me in chain gang in another fortnight.—I walked off.—O'Connor said I had better drop it—as Fallon had been to the Mayor & said that I had information that would further the ends of justice & that I had better be let off & therefore there would be no use in my trying to get anything by suing. As Fallon had proved that I had been convicted—Mr. Fallon has got boats & goods of mine to this day on board Ticonderoga—I went on board the Comet—then I left & went to Sacramento. I was arrested (while I was at Mr. Fallon's in 4th St. neighborhood) by Mr. Intyre on a warrant for Richard English—after I got through that I went back to Sacramento—the Police men seemed to consider me a thief as I left for the mines. There I stayed at Bachel's till last week when I came down to Sac then I was arrested at Sac yesterday by one of the V. C.

Chris EA. I know Hessel—I am Hessel. I know Rused the Timber, he did live at Chinese Camp—I stopped at his house "heard & looking for Mr. Hessel" was stuck up, that was last October—Big Hermann came into the station house the last time I was there—I saw him last about 2 yrs ago—thru from Town told me Hermann was in the Hospital.—The Ticonderoga was not used as a store ship—

Chris Examination

How do you know the man Stuart that came on board prison He is was the one we hung? I heard his name was Jim Stuart & know no other Stuart—
I got the \$250.—which I paid Fallon from my savings & from the sale of my Mission land for which I had \$250.00 dollars.—also Mr. Martin lent me \$250.—So you heard me in conversations with Fallon—I am known to many merchants in this city as a Lighterman—I lightened goods from the "V. Y. Johnson" for the land that & Co & others—I took the name of Hessel in order to get clear from Fallon & clear myself from previous charges told upon me—I first took the name of Hessel when I went on board the Bark "Hesperus".—

[July 20, 1851]

I know Adams, but always knew him by name of Wilson—Adams alias Wilson gave me five dollars when I got out of prison in consequence of Fallon being obliged to discharge me—

I know “Jimny from town” I have seen him in boxing saloons in this City—“Jemmy from town” robbed me of one $2\frac{5}{100}$ dollars in Marysville, about a week or ten days ago—he held a knife to my heart & Hays took the money from my pocket—

I have heard “Jemmy” talk about different robberies—He made use of so much slang & flash language I could not well understand them—

I know no one else in the Prisoners room—I gave “Jenny” a nights lodging in my tent near Marysville—He & Adams were talking about burglaries in different places—I was frightened at them & was glad to get clear from them—On the 18th I went over to Adams house on the other side of Am. River, the Marshall at Sac. City saw me in company with him & that was why the police arrested me & brought me to San F.

I first knew Hays at the Station house, he was arrested about the time of the “*Jas. Caskie*” affair—

If Mr Fallon had been here I would have said the same as I have—I have told nothing but the truth—

Henry Beck, I am a native of Nottingham England, I am about thirty six years of age I left England in the month of May 1835, I left the Port of London in the Ship *Rattlee* Capt Goldsmith, bound to Van Dieman's Land, I left England as an Emigrant, I arrived at Hobart Town and became Groom to Mr Bisbey—I went from Van Dieman Land in April 1847 and went to New Zealand I left New Zealand in March 1850 by the way of Port Nicholson, and arrived at San Francisco July 1st 1850, I have been residing in the neighborhood of Clark's Point ever since the time of my arrival, I have been engaged in washing, and am now engaged in keeping a Lodging and Drinking House, I have no sign up I do not know Daniel Wilder of Angel Island by name, I know the man from having staid at his House two days, I had no business with him when at Angel Island, I took three persons over to the Island for pleasure, the name of the three persons were, Watkins, Geo Adams, and some Female

I know Adams, but always knew him by name of Wilson—
Adams alias Wilson gave me five dollars when I got out of prison
in consequence of Fallon being obliged to discharge me—

I know "Jimmy from town" I have seen him in looking saloons
in this City—"Jimmy from town" robbed me of one dollar
late in Marysville, about a week or ten days ago—he held a knife
to my heart & Hays took the money from my pocket—

I have heard "Jimmy" talk about different robberies—He
made use of so much slang & Irish language I could not well un-
derstand them—

I know no one else in the Prisoners room—I gave "Jimmy" a
night's lodging in my tent near Marysville—He & Adams were
talking about burglaries in different places—I was frightened
at them & was glad to get clear from them—On the 18th I went
over to Adams house on the other side of San River, the Marshall
at San City ask me in company with him & that was why the
police arrested me & brought me to San F.

I first knew Hays at the Boston house, he was arrested about
the time of the "Van Catta" affair—

If Mr Fallon had been here I would have said the same as
I have—I have told nothing but the truth—

Henry Beck—I am a native of Nottingham England I am
about thirty six years of age—I left England in the month of
May 1835 I left the Port of London in the Ship Walter Page
Goldsmith bound to Van Diemen's Land I left England again
England I arrived at Hobart Town and became known to Mr
Bishop—I went from Van Diemen's Land in April 1847 and went
to New Zealand I left New Zealand in March 1850 by the name
of Port Nicholson, and arrived at San Francisco July 1st 1850
I have been residing in the neighborhood of Clark's Point ever
since the time of my arrival I have been engaged in washing and
am now engaged in keeping a looking and boarding house I
have no sign up I do not know Daniel White of Angel Island
by name I know the man from having said at his house two
days I had no business with him when at Angel Island I took
three persons over to the Island for pleasure, the names of the
three persons were, Washburn, Geo Adams, and some friends

[July 20, 1851]

name I do not know (*Adams brought in*) on being asked who the woman was answers, it was Mrs Brier, Adams says he knew the witness well and has been frequently at his house,

I knew Edwards, Watkins, Adams, I never knew Stuart, Jenkins, Jemmy from Town Goldsmith

Hays brought in & confronted with Henry Beck, I do not think I know this man—It was about three months since I went to Angel Island with Adams, Watkins and a Woman at that time my hand was bit by a man by the name of Joseph who is now in the Hospital he bit my hand at my own House, he was about three months since, I do not know what has become of usually called Old Joe, my hand was bit in the Month of March, Edwards,

[Statement of G. W. Smith. Case of Jimmy from Town]

George W. Smith sworn I know the Prisoner he is known as James Burns alias Jemmy from Town, I first knew him in last December—I have knew him to play cards—he got \$300 out of Mr Chadwick—common fame and report is that he is a very bad character I have been told by Bill Hays in charge of the Police now, that this man knocked a man down near the Plaza in Clay Street and robbed him, also inducing a miner from his own place and robbing him, and they tried to induce him again the next day (but the night before having only obtained the small bag from the miner) they could not induce the miner to go again as he suspicioned Hays as the man that robbed him he, Jemmy from Town is the man named in Stuarts Commission [confession]

I am confident that this is Jemmy from Town, I am not mistaken.

[Signed] Geo W Smith

Attest S Payran Presdt

[Annotated:] Residence of above witness

Gibbs & Co, corner Sansom & Washington St

George Gill Statement

George Gill, I was born in the County of Somerset England, I am thirty seven years of age I left the Port of London in the month of November 1850 on Board the Ship *Spartan*

George Gill. I was born in the City of Somerset England. I am thirty seven years of age. I left the City of London in the month of November 1850 on board the ship "Pavina"

[Annotated.] Residence of above witness
 Alfred S. Payson, Town
 [Signed] Geo W. Smith

I am confident that this is Henry from Town, I am not mis-
 from Town is the man named in Henry's (contested)
 as he suspected Henry as the man that robbed him. He Henry
 from the robbers; they could not induce the money to go again
 day (but the night before having only obtained the small bag
 and robbing him, and they tried to induce him again the next
 Street and robbed him, also inducing a minor from his own place
 now, that this man knocked a man down near the Place in City
 character. I have been told by Bill Hays in charge of the Police
 Mr. Chadwick—common time and report is that he is a very bad
 December—I have known him to play cards—in one game out of
 as James Hays alias Henry from Town, I first knew him in last
 George W. Smith. I know the Prisoner he is known

Edward,
 usually called Old Joe, my hand was hit in the Month of March,
 about three months since, I do not know what has become of
 now in the Hospital, he hit my hand at my own house, he was
 time my hand was hit by a man by the name of Joseph who is
 to Angel Island with Adams, Watkins and a Woman, at that
 think I know this man—It was about three months since I went
 Hays brought in & conspired with Henry Beck. I do not
 Jenkins, Henry from Town Goldsmith
 I know Edwards, Watkins, Adams, I never knew Henry
 the witness well and has been frequently at his house,
 the woman was married, it was Mrs. Baker, Adams says he knew
 name I do not know (Adams brought in) on being asked who
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 ACADEMY OF PACIFIC COAST HISTORY

[July 20, 1851]

Captain Bay bound to San Francisco California, on the Third day of September 1850, since I have been in California I have been working on the Streets and in Stone quarrying to last March, I then went to the Mines, to the North Fork of Feather River, I was trading from Marysville to the Mines on my own account, I came back to San Francisco in June last, since which I have been working about the City, part of the time at the Custom House weighing sugar, last Monday Mr Early hired me to go to Angel Island to Quarry stone; I do not know Watkins, Welsh, Adams, Jenny from Town, Burns, Jenkins, Stuart, Hays Edwards, I know Harry Beck from the fact of living near him, I saw him on Monday Morning at his own House I know nothing about his character it may be good, it may be bad, I do not know anything good or bad about him, I do not know T. Belcher Kay, I know nothing of the robberies committed in this City—I was robbed a few weeks since myself of the sum of five hundred dollars stolen out of my house, I reside at the place called Sydney Valley; I know of no suspicious persons in the Valley—I do not know who to suspect of having taken my Money—

MONDAY, JULY 21, 1851

MINUTES

Minutes Monday Morning July 21st 1851

At a meeting of the Executive Committee held on Monday Morning July 21st 1851. Present Payran—Ryckman—Bromley—Brindley—Graham—Garwood

On the meeting having been called to order the Chairman reported that a member of this Committee had been assaulted with intent to kill by one Charles Duane. Wherefore it was¹

Resolved that an order be issued for the arrest of the said Charles Duane.—

The examination of Geo Adams Thomas [. . .] alias Tommy round head & Jimmy in Town was continued and Hayes as a witness—

¹ See note 3, p. 96.

Captain Bay bonded to San Francisco California, on the third day of September 1850, since I have been in California I have been working on the streets and in Stone quarrying to last March, I then went to the Mines to the North Fork of Feather River, I was trading from Marysville to the Mines on my own account, I came back to San Francisco in June last, since which I have been working about the City, part of the time at the Custom House weighing sugar, last Monday Mr. Early hired me to go to Angel Island to Quarry stone; I do not know Watkins, Welsh, Adams, Henry from Town, Hunter, Jackson, Stuart, Liza Edwards, I know Henry back from the fact of having met him, I saw him on Monday morning at his own House, I know nothing about his character, it may be good, it may be bad, I do not know anything good or bad about him, I do not know T. Belcher, Ray, I know nothing of the robberies committed in this City—I was robbed a few weeks since myself of the sum of five hundred dollars stolen out of my house, I reside at the place called Strawberry Valley; I know of no suspicious persons in the Valley—I do not know who to suspect of having taken my money.

Monday, July 21, 1851

MINUTES

Minutes Monday Morning July 21st 1851

At a meeting of the Executive Committee held on Monday Morning July 21st 1851. Present: Baynes—Hunt—Brown—Lay—Hindley—Graham—Gardner

On the meeting having been called to order the Chairman reported that a member of the Committee had been assaulted with intent to kill by one Charles Duane. Whereupon it was

Resolved that an order be issued for the arrest of the said Charles Duane—

The examination of Geo. Adams Thomas [] after Tommy round head & Henry in Town was continued and Baynes as a witness—

[July 21, 1851]

During the examination the Committee was informed that Charles Duane had been arrested by the Authorities & placed in the County Jail.—

Mrs Regan was examined in the case of Adams but nothing of importance was illicited—

Adjourned to 7 OClk P.M

[Signed] W^m C Graham Secty

Minutes Monday Evening July 21st 1851.

At a Meeting of the Executive Committee held on Monday Evening July 21st 1851. Present—Payran—Wyckman—Gorman—Schenck—Mellus—Wadsworth—Huie Curtis—Brindley—Woodworth Bromley Graham Garwood McCahill Oakes & Woodworth Pres^t of Gen^l Com^{ee}

The Charge of horse stealing brought against Jacob S Smith by John Lowrey, having be[en] examined into the said John Smith was honorably discharged.²

On motion of L Brindley that in Case of Lewis being found Guilty of Arson that the Executive Committee recommend to the Gen^l Committee to take posession of the said Lewis & hang him.—which motion was laid upon the Table.³—

On motion *resolved* that the Executive Committee recommend that if any Judge or Magistrate or other Administrator of the Laws can be detected in corruption or Mal-administration of their duties, they shall be arrested by this Committee & hand. [hanged?] as an example to those who have asked and received office at the hands of the People.—

On motion *resolved* that whereas our Brother—Frank Ball has been violently assaulted by one Cha^s Duane alias Dutch Charley who is now in Custody of the Civil Authorities we hereby pledge ourselves that justice shall be meeted out to said Cha^s Duane—

On motion *resolved* that the Sergeant or Arms be directed to procure a file of the Newspapers containing the different publica-

² The endorsement on the statement of this case reads: Jacob S. Lowry in the case of Henry Smith.

³ The trial of Benjamin Lewis, for arson (see note 1, p. 4) was held in the District Court, July 21 and 22. He was convicted and sentenced to two years' imprisonment.

Two years' imprisonment.
 In the District Court, July 21 and 22, the case was tried and sentenced to
 * The trial of Benjamin Davis, for arson (see note 1, p. 2) was held
 in the case of Henry Smith.
 * The endorsement on the statement of this case reads: Jacob S. Lowry

procure a file of the newspapers containing the different publications.
 On motion resolved that the Sergeant at Arms be directed to

Dunn—
 Charles, who is now in custody of the Civil Authorities we hereby
 has been violently assaulted by one Clint Brown alias Bush
 On motion resolved that a witness and brother—Frank Hall
 office at the hands of the People—

[hanged?] as an example to those who have asked and received
 duties, they shall be arrested by this Committee & hand.
 Laws can be detected in corruption or misadministration of their
 that if any Judge or Magistrate or other Administrator of the
 On motion resolved that the Executive Committee recommend
 him—which motion was laid upon the Table—

the Gen. Committee to take possession of the said laws & hang
 Guilty of Arson that the Executive Committee recommend to
 On motion of L. Brindley that in Case of Lewis being found
 Smith was honorably discharged.
 by John Lowry, having before examined into the said John
 The Charge of horse stealing brought against Jacob S. Smith
 Oakes & Woodworth Trustees of Gen. Court.

Woodworth Bromley Graham Barwood McCabill
 man—Schuch—Mellus—Wadsworth—Hale—Carter—Brindley
 Evening July 21st 1851. Present—Payson—Wadsworth—Gor-
 At a meeting of the Executive Committee held on Monday
 Minutes Monday Evening July 21st 1851.

[Signed] W. C. Graham Secy.
 Adjourned to 7 O'Clock P.M.
 of importance was elicited—
 Mr. Ryan was examined in the case of Adams but nothing
 the County Jail—
 Charles Dunn had been arrested by the Authorities & placed in
 During the examination the Committee was informed that

[July 21, 1851]

tions emanating from this Committee and that the same be preserved for future reference.—

the motion in case of Lewis be taken from the table and passed.—

On motion a Committee of three be appointed to superintend the trial of Lewis.—J C Ward. Cap Goram & Brindley.—

On motion *resolved* that a special meeting be held at as early an hour as possible tomorrow morning.—

On motion *resolved* that we recommend the Gen^l Committee now in room proceed to the Court House, and remain there until the case of Lewis is disposed of—and if necessary to arrest and take Lewis and dispose of him as the People may direct.—

On Motion adjourned

[Signed] W^m C Graham Secty

MISCELLANEOUS PAPERS.

[*Information regarding Charles Duane*]

Charles Duane, alias Dutch Charley, is in Custody of the Sheriff (or his Deputy B. F. Harley) on a warrant issued by Judge Campbell Mr Harley will call on me some time in the course of the day—There are no writs of Habeus Corps in the hands of the Sheriff

[Signed] A. J. McDuffee

Mrs Regan Statement

Mrs. Regan— I know George Adams, he was about 8 or 9 weeks at my house. He came to my house at the time of his arrival here about the month of October or November last dined there only.—He came back in January & stayed the 8 or 9 weeks. A week previous to his capture Watkins came to see him—on the night of his capture W— came also. Edwards came to my house he knew Adams. As far as I know of George Adams up to the time of his arrest, he was respectable & sociable—My house was in Dupont St.—near it was the “Uncle Sam” which I thought a bad house—(*Jemmy from Town produced*) I know this man have seen him at my bar dont remember to have seen Adams in company with this man. This man came with 3 or 4 others. kicked up a row & my husband (this was on the 2^d Dec.) gave this man I think into the hands of the Police. This man &

tions emanating from this Committee and that the same be preserved for future reference—

the motion in case of Lewis be taken from the table and passed.—

On motion a Committee of three be appointed to superintend the trial of Lewis.—J. C. Ward, Cap. Gorman & Hensley.—

On motion resolved that a special meeting be held at an early hour as possible tomorrow morning.—

On motion resolved that we recommend the Rev. Committee now in room proceed to the Court House, and request them that the case of Lewis be disposed of—and if necessary to arrest and take Lewis and dispose of him as the People may direct.—

On motion adjourned

[Signed] W. C. Gorman Secy

MISCELLANEOUS PAPERS

[Information respecting Charles Dumas]

Charles Dumas, alias Dutch Charley, is in Custody of the Sheriff (or his Deputy H. P. Halsey) on a warrant issued by Judge Campbell. Mr. Halsey will call on me some time in the course of the day.—There are no writs of Habeas Corpus in the hands of the Sheriff. [Signed] A. J. McJannet

Mr. Adams' Statement

Mr. Ryan.—I know George Adams, he was about 5 or 6 weeks at my house. He came to my house at the time of his arrival here about the month of October or November last. I think there only.—He came back in January & stayed the 2 or 3 weeks. A week previous to his capture Whittier came to see him.—on the night of his capture W.—came along. Whittier came to my house. he knew Adams. As far as I know of George Adams up to the time of his arrest, he was respectable & sociable.—His house was in Dupont St.—near it was the "Black Sam" which I thought a bad house.—(Adams from Vancouver?) I know this man have seen him at my bar about mentioned to have seen Adams in company with the man. This man came with 3 or 4 others picked up a row & my husband (this was on the 21 Dec.) gave this man I think into the hands of the Police. This man &

[July 21, 1851]

the others came on Christmas Eve to quarrel about the matter.— On the 26th my husband found they were discharged—Adams' trade was that of founder & shipbuilder.—I dont think he was much at work, he paid regularly.—I was rather surprised at this—I think he slept in my house every night while he was there—he could have got in & out of the back door without my knowledge—

Jacob S Lowry's statement in Case of Henry Smith

Jacob S. Lowry:— About 2^d Febry, left my winter quarters on Webber Creek & went down to Sac City & from there to Marysville on my way to Nelson Creek.—I there put my things on a wagon in connection with 14 or 15 other persons among whom was the prisoner Henry Smith—I was not acquainted with any of the other parties. We went to Ophir with the wagon.— As the expenses of packing to Nelson Creek were greater than we thought just, the prisoner and myself purchased a mule together, on which we packed our things that night as far as Buffalo Rancho.—The money for the Mule was all paid by the prisoner, but the bill was made out jointly in both our names. It was the understanding that I should pay the joint expenses of our expedition as an offset to my share of the Mule.—We went to Onion Valley & from there started for rich Bar & overtook four frenchmen on the road bound for the same place.—That night we all encamped in company, the four frenchmen, the prisoner and myself.—Just before reaching Bar, from information received on the road we concluded to go to 12 Mile Bar. A few days after reaching the latter place, the prisoner in company with Junis[?] Alexis, one of the frenchmen, above referred to started for Marysville to buy provisions, the prisoner taking the Mule we had purchased together, and the frenchman taking with him a black Mare & Sorrel Mule belonging to his company.—After reaching Marysville the Frenchman went some distance from town to obtain a horse belonging to him, and left the black Mare in the charge of the prisoner.—During the frenchman's absence the prisoner took the Black Mare & the Mule to auction—Sold the Mule for 87 dollars,—Could not get a good price for the Mare, and therefore refused to sell her and rode her away. this

[July 21, 1851]

information I obtained from the frenchman about three weeks after his leaving us for Marysville.—

[Signed] Jacob S Lowry

[Endorsed:] Prisoner Honorably discharged Mr Curtis
vouches for character
July 21 1851

TUESDAY, JULY 22, 1851

MINUTES

Minutes Tuesday Evening 22 July 1851

At a Meeting of the Executive Committee held Tuesday Evening July 22nd 1851. Present Payran—Huie—Wadsworth Ryckman—Bluxome Schanck Graham—Brindley Oaks Spence Garwood

The meeting having been called to order by the chair the Examination of Harry Beck was gone into and John H. Plunkett as witness, record of which is on file—

Report from Committee on Brig *Cammio* was received accepted & ordered to be placed on file—

The report of the Prison Committee was received & accepted and the Committee order to still continue their investigating in all County Matters.—

No other business adjourned to Genl Committee room

[Signed] W^m C Graham Secty

[Minutes of Special Meeting July 22 1851]

At a Special Meeting of the Executive Committee held on Tuesday Evening July 22nd 1851. Present Gorman. Garwood

Ward Bluxome & Graham

Gorham in the Chair.—

Went into the examination of Mr Wilbur [Wilder?] in reference to certain parties at Angel Island.

Ordered a detail of three men to accompany Mr Wilbur to Sydney Valley for the purpose of arresting a man called Haney.

Ordered a detail of three men to accompany Mr Wilbur to the purpose of taking into custody a Suspicious person to be pointed out by Mr Wilbur

San Francisco Committee of Vigilance of 1851 321
 [July 21, 1851]
 information I obtained from the Frenchman about three weeks
 after his leaving us for Shanghai—
 (Signed) Jacob S. Lundy
 [Endorsed:] Frenchman's handwriting discharged M. Curtis
 vouchers for character
 July 21 1851

TUESDAY, JULY 22 1851
 MINUTES

Minutes Tuesday Evening 22 July 1851
 At a meeting of the Executive Committee held Tuesday
 Evening July 22^d 1851. Present: Payson—Holt—Ward—
 Worth—Hickman—Hudson—Schmidt—Graham—Bridgman—
 Oats—Spence—Garrison
 The meeting having been called to order by the chair the
 Examination of Harry Dorr was gone into and John H. Planchet
 as witness, record of which is on file—
 Report from Committee on Bridge Company was received and
 accepted & ordered to be placed on file—
 The report of the Prison Committee was received & accepted
 and the Committee ordered to still continue their investigation in
 all County matters—
 No other business—adjourned to next Committee room
 [Signed] Wm C. Graham Secy

[Minutes of Special Meeting July 22 1851]
 At a Special Meeting of the Executive Committee held on
 Tuesday Evening July 22^d 1851. Present: Garrison—Gordon
 Ward—Hudson—Graham
 Gordon in the Chair—
 Went into the examination of Mr. William [Whitney?] in refer-
 ence to certain parties at Angel Island.
 Ordered a detail of three men to accompany Mr. Whitney to
 Sydney Valley for the purpose of arresting a man called Henry
 Ordered a detail of three men to accompany Mr. Whitney to the
 purpose of taking into custody a suspicious person to be
 pointed out by Mr. Whitney

[July 21, 1851]

Minutes of General Meeting, July 22, 1851

Mr Selim E Woodworth in the Chair—

On motion Mr F Woodworth

Resolved That the Committee of the whole investigate the case of Dabb—why—by whom and by what authority he was discharged—

On motion

Resolved That select Com of three—appointed to investigate the case of one Dabb be discharged

On Motion Mr Van Bocklyn

Resolved That the position taken by Mr Van Bocklyn as chief of Police in the case of Dabb a prisoner be sustained by the Committee

On Motion Mr Curtis

Resolved That every member who has not handed in his list of Gaol fund contributions be ordered to pass it in—and 30\$ if no more has been collected—with the cash at the same time

By Mr Brinley—

WHEREAS E McGowan¹ formerly a Police Officer in the City of Philadelphia, now an associate Justice in the Court of Quarter Sessions of the County of San Francisco—was convicted of being an accomplice in the robbery of the Chester County Bank in the State of Pennsylvania, and obtained a new trial on which he escaped conviction from the absence of the witnesses who had testified against him on the former trial—and—

WHEREAS the said E. McGowan has been charged with official corruption by a grand jury of the said County of San Francisco—Therefore be it

Resolved That if these charges be true it is a disgrace to

¹ Baneroft, in *Popular Tribunals*, II, 244-248, gives some details of Edward McGowan's early career. He had just been censured by the grand jury for mismanagement of county funds in connection with the new jail (note 3, p. 158), but he retained his position as judge in the Court of Sessions, and became an influential leader in the Democratic party during the next two or three years. When James P. Casey shot James King of William, May 14, 1856, McGowan was supposed to have helped plan the attack, and the Vigilance Committee of 1856 made every effort to arrest him, but with great difficulty he escaped from its pursuit. See also T. H. Hittell, *History of California*, III and IV, and Edward McGowan, *Narrative*, San Francisco, The Author, 1857.

[July 21, 1881]

Minutes of General Meeting, July 21, 1881

Mr. Selim E. Woodworth in the Chair—

On motion Mr. F. Woodworth

Resolved That the Committee of the whole investigate the case of Dabb—why—by whom and by what authority he was

discharged—

On motion

Resolved That a Joint Com of three—appointed to investigate the case of one Dabb be discharged

On Motion Mr. Van Hooker

Resolved That the position taken by Mr. Van Hooker as chief of Police in the case of Dabb a prisoner be sustained by the Committee

On Motion Mr. Curtis

Resolved That every member who has not handed in his list of last year's contributions be ordered to pass it in—and stop

if no more has been collected—with the cash at the same time

By Mr. Drinker—

WHEREAS E. McGowan, formerly a Justice of the Peace of Philadelphia, now an associate Justice in the Court of Quarter Sessions of the County of San Francisco—was convicted of being an accomplice in the robbery of the Chester County Bank in the State of Pennsylvania, and obtained a new trial in which he escaped conviction from the absence of the witnesses who had testified against him on the former trial—and—

WHEREAS the said E. McGowan has been charged with official corruption by a grand jury of the said County of San Francisco—

Therefore be it

Resolved That if these charges be true it is a disgrace to

the Academy, in which E. McGowan, II, 242-243, gives some details of Edward McGowan's early career. He had just been convicted by the grand jury for mismanagement of county funds in connection with the case of (note 2, p. 1281) but he retained his position as judge in the Court of Sessions, and became an influential factor in the Democratic party during the next two or three years. When James H. Carter was elected Mayor of Williams May 14, 1882, McGowan was supposed to have helped plan the attack, and the "College Committee" of 1882 made every effort to arrest him, but with great difficulty he escaped from its grasp. See also J. H. Hildreth, McGowan, Carter, II and IV, and Edward McGowan, Yosemite, San Francisco, The Author, 1887.

[July 22, 1851]

the County, to tolerate him in the position he occupies—and be it further

Resolved That the Executive Committee be directed to investigate the matter and report to the General Committee and if their report furnish sufficient grounds in the estimation of the General Com—that he be requested to withdraw from the Bench—under penalty of said report being published to the world in case he refuse²—

On motion

Resolved That when a Prisoner be delivered over to the charge of the Chief of Police or Sergt at Arms of this Association such Prisoner shall be considered the property of this Committee and cannot be released unless by the action of the Ex Committee or by a vote of the General Body—

The Ex Committee Report

That they recommend that no further proceedings be taken in the matter of the man Lewis, he having been tried and convicted by a jury of his countrymen, and sentence passed upon him by the Court, punishing him to the utmost limit of the law applying to his case—Your Com deem this circumstance unfortunate but there is no change that can at present be made in the statute as respects Arson, and until a general election comes off at which time the People can place proper men in office to form proper laws to Apply to the General moral state of Affairs which have reigned in this country for some time past—and which are likely to continue for some time to come—we must maintain the laws agreeable to our Constitution when we see it administered with promptness and in the purity which ought to surround it

On motion

Resolved That whereas our Brother Frank Ball has been violently assaulted by one Chas Duane Alias Dutch Charley who is now in custody of the Civil Authorities we hereby pledge ourselves that justice shall be meted out to said Chas Duane

On Motion Adjourned

I. Bluxome Jr

Secretary

² The draft of this resolution is annotated: San Francisco July 18th 1851. handed in by 404 [Rodman Gibbons] Mr. Brindley Accepted

[July 22, 1851]

MISCELLANEOUS PAPERS

*John H. Plunkett. Evidence in relation to Adams & Others**July 22/51*

John H. Plunkett I knew Edwards, I have seen Watkins, I know Adams, T Belcher Kay also Harry, known to me as Harry Austin, some three months ago I came from Angel Island and brought over most of my things & left them in Mr Edwards House on Jackson's Street Wharf, I thought then of going home in the *Reindeer* of Plymouth bound to New York, but changed my mind. I then went up the Bay to look for my Boat found her and sold her and returned to Angel Island, on the 2nd of May and was there from that time until Monday the day after the May fire, I went to look for Mr Edwards House, but it was burned down—I asked a man who was with me where it was most likely I should find Edwards, he told me of this man Harry Austin alias Beek, who had bought a House of Edwards in Sydney Valley whom he thought could tell me I called on this Harry, and asked him if he knew where Edwards could be found, he answered that he could not, Harry asked me where I came from I told him that I came from Angel Island last, he then asked me if I saw his Boat there, I told him I did not I asked him what sort of a Boat it was he said she was a Black Yawl Boat green top sides—I told him I had not, he said that he had sent three men over in the Boat, to keep out of the way a few days, I then passed down to my Boat, I said to Wilder who was with me, I believe them fellows, at Angel Island of whom Austin spoke, to be Rogues, and if you have any money look out for it, we went back to the Island there we found Watkins Geo Adams and one other whose name I do not know, these three men had not intended to stop on the Island but had been Capsized, they remained there that night, next day the Boat went back to San Francisco, the next day Harry & his wife came over likewise, he said some one had bit his hand, it was poulticed, he stopped with his wife two or three days and returned home—two or three days after that George Adams, robbed Mr Wilder of \$190, Watkins & Adams cleared out to San Francisco that night Adams was arrested, Mr Wilder described his money, and it was returned to him, Watkins came back to the Island and went to another House

[July 22, 1851]

MISSOURIAN RECORD

John H. Plunkett. Evidence in relation to Adams & Others

July 22, 1851

John H. Plunkett. I know Edwards. I have seen Watkins. I know Adams. I believe Ray also Henry, known to me as Harry Austin, some three months ago I came from Angel Island and brought over most of my things & left them in Mr. Edwards' House on Jackson's Street. When I thought them of going home in the schooner of Plymouth bound to New York, but changed my mind. I then went up the Bay to look for my boat. I found her and sold her and returned to Angel Island, on the 2nd of May and was there from that time until Monday the day after the May day. I went to look for Mr. Edwards' House, but it was burned down—I asked a man who was with me when it was most likely I should find Edwards, he told me of this man Harry Austin alias Beck, who had bought a House of Edwards in Sydney Valley whom he thought could tell me. I asked on this Harry, and asked him if he knew where Edwards could be found, he answered that he could not, Harry asked me where I came from. I told him that I came from Angel Island, but he then asked me if I saw his boat there. I told him I did not. I asked him what sort of a boat it was. He said she was a black Yawl that goes up sides—I told him I had not, he said that he had sent three men over in the boat to keep out of the way a few days. I then passed down to my boat, I said to Walter who was with me, I believe them fellows, at Angel Island of whom Austin spoke, to be honest, and if you have any money look out for it, we went back to the Island. Then we found Watkins. Then Adams and one other whose name I do not know, these men had not intended to stop on the Island but had been captured, they remained there that night, next day the boat went back to San Francisco, the next day Harry & his wife came over like when he said some one had hit his hand, it was possible, he stopped with us a few two or three days and returned home—two or three days after that George Adams, robbed Mr. William of \$1000. Watkins & Adams cleared out to San Francisco. That night Adams was arrested, Mr. Walter described his money, and it was returned to him. Watkins came back to the Island and went to another house.

[July 22, 1851]

broke through the roof and stole \$75—Stole a Boat belonging to the man he robbed and left I have never seen either of them since, I boarded with Edwards, I have seen T. Belcher Kay at his House frequently—I went up stairs with a man by the name of Ryan and saw a short thick sett man at work at a Table filing keys which appeared to be intended for robbing, I said to Ryan come I wont stop in that House any longer

[Signed] John H Plunkett

W^m H Clarke's Report

Report of Capt W. H. Clarke on Water Duty

On 16th July proceeded per instructions to Board the Brig *Cameo* & search for Whitaker on 17th A M early searched the Brig & did not find him on the vessel remained on this duty during the day & night of 17th Came ashore 18 A. M. with prisoner Wright after having again searched the Brig. at 2 oclk A. M 19th took the prisoner Wright on board the Brig & paid his passage again searched her & came ashore at North Beach & kept the Brig in sight during that day—on the 20th at 4 Oclk A. M. boarded the Brig again & searched her, returned ashore & kept her in view during the day. On the 21st 4½ Oclk A. M. boarded & searched the Brig She then being under sail outward bound & near the Heads—In conclusion I have to state that my survillance has been strict day & night since I undertook the duty & that Whitaker is not & never has been on board of the Brig—also that Mrs Hogan & her effects were sent on shore on the 17th The Capt. Owner & passengers, of the Brig have always extended every Courtesy, aid & assistance possible to my associates & self as agents of the Vigilance Committee—The Cause of my frequent visits as stated above was that I deemed it important that she should be searched on the eve of her departure, she having made for several days ineffectual efforts to get to sea³—

[Signed] W^m H Clarke

San Francisco July 22/51

[Endorsed:] Filed

³ For the expenses of these expeditions, see voucher No. 14, p. 774.

broke through the roof and stole \$75—Stole a boat belonging to the man he robbed and left. I have never seen either of them since, I boarded with Edwards, I have seen T. Holcher Kay at his home frequently—I went up stairs with a man by the name of Ryan and saw a short thick set man at a table with keys which appeared to be intended for robbing, I said to Ryan come I want stop in that house any longer

[Signed] John H. Plumbell

Wm H. Clark's Report

Report of Capt W. H. Clark on Water Duty

On 16th July, proceeded per instructions to Board the Brig Cannon & search for Whitaker. On 17th A. M. early searched the Brig & did not find him on the vessel. Remained on the duty during the day & night of 17th. Came ashore 12 A. M. with prisoner Wright after having again searched the Brig. at 2 o'clock A. M. took the prisoner Wright on board the Brig & paid his passage. Again searched her & came ashore at North Beach & kept the Brig in sight during that day—on the 18th at 4 o'clock A. M. boarded the Brig again & searched her thoroughly ashore & kept her in view during the day. On the 19th at 4 o'clock A. M. boarded & searched the Brig. She then being under full outward bound & near the Head—in company I have to state that my surveillance has been strict day & night since I undertook the duty & that Whitaker is not & never has been on board of the Brig—also that Mrs. Hanson & her effects were sent on shore on the 17th. The Capt. Gunn & passengers of the Brig have always extended every courtesy and assistance possible to my associates & well as agents of the Vigilance Committee—The Cause of my frequent visits mentioned above was that I deemed it important that she should be searched on the eve of her departure, she having made for several days inefficient efforts to get to sea.

[Signed] Wm H. Clark

San Francisco July 22, 51

[Endorsed:] Filed

[July 22, 1851]

*Daniel Wilder. Evidence about Harry, Adams & Watkins.*July 22nd 1851

Daniel Wilder— Adams said he wanted to stay & board with me at Angel Island. 4 others with him. One was Watkins— Watkins & Adams staid a week with me. Adams robbed me of 160\$. about. I recovered \$15. next day from the City Marshall after Adams was arrested—Several men came to see these men while they lived there. One of them was named Harry—his hand was badly bit. He was a man about 40 dark complexion black hair large whiskers—5. ft. 8. in height.— He has been to my house since Adams left there—for Adams's things. he never paid me for my board & threatened to take away a possum skin which Adams had brought which he, Harry said belonged to him—Harry then lived in Sydney Valley & said that Adams had lived with him. I thought I saw him today. When he came to the Island three came with him. one of the 3 said that Watkins was a gentleman but that Adams was mean for robbing me—he said also that they would burn the City if they did not get Watkins out. this was a little man an Englishman dont know his name—One of this same party that came with Harry was there yesterday said he was going to work on quarry on the Island & wanted to board with me I told him to go away—he was armed with a gun when he came 1st time tall man brownish complexion with long whiskers.—

Belcher Kay came over to Angel Island with the Edwards's 3 or 4 different times on Sundays, a little boy that lived with Edwards came also—another man came also.—I think he was tall sandy whiskers spare built— A man that was living with me saw Edwards the day that Stuart was hung.—The man that I speak of is John H Plunket—he said he boarded at Edwards's and told me that he suspected that Edwards went out at night for no good. He said he had seen Belcher Kay there also.—

[Signed] Daniel Wilder

[Resolution in regard to E. McGowan]

Resolved that the E. C. cause to be sent for an official copy of all the records of the District Court or Court of Criminal Sessions of the County of Philadelphia, in the case or cases of

[July 22, 1851]

Daniel Wilber, Defendant about Henry Adams & Watkins

July 22nd 1851

Daniel Wilber— Adams said he wanted to stay & board with me at Angel Island. 4 others with him. One was Watkins— Watkins & Adams staid a week with me. Adams robbed me of 1800. About I recovered \$15. next day from the City Marshall after Adams was arrested—Several men came to see these men while they lived there. One of them was named Harry—the hand was badly hit. He was a man about 40. dark complexion black hair. large whiskers—5 ft. 8 in height— The day been to my house since Adams left there—for Adams's things he never paid me for my board & threatened to take away a possum skin which Adams had brought which he Harry said belonged to him—Harry then lived in Sydney Valley & said that Adams had lived with him. I thought I saw him today. When he came to the Island there came with him. one of the 3 said that Watkins was a gentleman but that Adams was mean for robbing me—he said also that they would burn the City if they did not get Watkins out. this was a little man an Irishman. I don't know his name—One of this same party that came with Harry was there yesterday. said he was going to work on quarry on the Island & wanted to board with me. I told him to go away—he was armed with a gun when he came to town. tall and brownish complexion with long whiskers—

Heather Kay came over to Angel Island with the prisoners 3 or 4 different times on Sundays. a little boy that lived with Edwards came also—another man came also—I think he was tall sandy whiskers. spare built— A man that was living with me saw Edwards the day that Stuart was hung—The man that I speak of is John H. Hunter—he said he boarded at Edwards's and told me that he suspected that Edwards went out at night for no good. He said he had seen Edwards there also—

[Signed] Daniel Wilber

[Resolution is signed to E. W. Conway]

Resolved that the H. C. cases to be sent for an official copy of all the records of the District Court or Court of Criminal Sessions of the County of Philadelphia in the year or years of

[July 22, 1851]

the Commonwealth vs. E McGowan charged with having robbed or having been an accessory after the fact in the robbery of the Chester County Bank

No 68 [G. E. Schenck]

[Annotated:] laid on the table

Tho^s Goin. San Francisco 22 July 1851

San Francisco July 22. 1851

To the Executive Committee

The New El Dorado in Stockton St near Vallejo St & a small house in Vallejo east of Stockton are resorts of Adams Wife (or woman) & many others of the same class, perhaps of Whittaker, should he now be in the city—

Should you deem this communication of any importance I will be ready at any time to give you all further information in my power—

I remain Gentlemen

Yours Truly

[Signed] Thomas Goin V. C. 618

[*Report on Jail Funds*]

Chairman:

I beg to state that only 114 members out of 631 have reported themselves & that the Jail's funds received are only \$3860—

Since 4 days 300\$ have only come to hand— What resolution have we to take to hasten the payment of said funds

[Signed] Delessert

The Treasurer

WEDNESDAY, JULY 23, 1851

MINUTES

Minutes July 23^d 1851

At a meeting of the Executive Committee held Wednesday morning July 23rd 1851. Present Payran, Ward Brindley —Bromley—Graham—Bluxome Curtis, Gorham, Wadsworth, Woodsworth, Ryckman

The Case of George Arthur for Burglarly was under examination and the Testimony filed. recommended to be handed over for Trial—

San Francisco Committee of Vigilance of 1851 337
 (July 22, 1851)
 the Commonwealth vs. H. McGowan charged with having robbed
 or having been an accessory after the fact in the robbery of the
 Chester County Bank

No. 68 [G. H. Johnson]

[Annotated:] laid on the table

The Court. San Francisco July 22, 1851
 San Francisco July 22, 1851

To the Executive Committee
 The New El Dorado is situated at near Vallejo St. & a small
 house in Vallejo east of Stockton are friends of Adams Wills (or
 woman) & many others of the same class, perhaps of Whittaker,
 should be now be in the city—

Should you deem this communication of any importance I
 will be ready at any time to give you all further information in
 my power— I remain Dear Sir,
 Yours Truly

[Signed] Thomas G. Galt V. C. 612

[Report on Jail Funds]

Chairman:
 I beg to state that only 114 members out of 831 have reported
 themselves & that the Jail's funds received are only \$2500—
 Since 4 days 3000 have only come to hand— What resolution
 have we to take to hasten the payment of said funds

[Signed] The Treasurer

Wednesday, July 23, 1851

MINUTES

Meeting July 23, 1851

At a meeting of the Executive Committee held Wednesday
 morning July 23rd 1851 Present: Payson, Ward, Brantley,
 Bromley, Graham, Henson, Cook, Graham, Wadsworth,
 Woodworth, Ryckman
 The Case of George Arthur for Forgery was under exami-
 nation and the testimony that recommended to be handed
 over for trial—

[July 23, 1851]

Evening Session July 23rd 1851. Present.—Payran—Schank—Brindley—Wadsworth—Woodsworth, Oaks Bluxome—Gorham—Bromley—Mellus—Graham—Ryckman—Woodworth
Pres^t Gen^l Com—Garwood.—

On motion, *resolved*—that Jemmy from Town—Tho^s Roundhead & Geo Arthur be handed over to the constituted authorities for trial.—also Adams, also that Hays and Baker as witnesses

Prison reports submitted:

Letter of Beidleman, Commendatory of V. C of San Francisco read,

Statements of Prisoners, and Evidence read to Committee of the whole

On order of General Committee to Executive to define duties of Marshalls of Police &c Committee (Executive) asked further time

Gill witness from Angel Island examined and discharged

Report in relation to Mayor, on motion laid on the Table¹

Ordered that the Prisoners sentenced to be sent back to Sydney have Meat Coffee &c

[Signed] S Payran

Presdt

Secretary

Minutes of Special Meeting [General Committee] July 23. 1851

Mr Selim E Woodworth in the chair

Report of Prison Committee read—

On motion Mr Oaksmith

Resolved That the Prisoner Geroqe Arthur be handed over to civil Authorities

On motion Mr Thomas

Resolved That Jimmey from town alias James Burns and George Ainsworth alias Roundhead be handed over to Civil Authorities

¹ On July 11, Mayor C. J. Brenham issued a proclamation which called upon the citizens of San Francisco to sustain the laws and the duly elected authorities. (Printed in Bancroft's *Popular Tribunals*, I, 323.) Further than that, he seems to have taken no official cognizance of the Committee, although he supported Governor McDougal, when the latter secured the release of two prisoners on the morning of August 20.

[July 23, 1851]

On motion Mr W^m H Jones

Resolved That W^m H Jones be excused from acting longer as Deputy Marshall and also be excused from serving longer as one of Finance Committee

On motion

Resolved That Mr Jones is *not* from duty for three months

On motion

Resolved That the Banner presented by Mess Plum & Warner be accepted and a vote of thanks be tendered to the gent for the same

On motion

Resolved That the Banner be properly mounted and Kept for use of this Committee

On motion

Resolved That this Committee Keep the witnesses in the case of Jimmey from town and a Committee of six be appointed by the Chair to take said witnesses to Court when his trial comes on—The following are the Committee George J Oakes—Capt Garwood—F O Wakeman—Mr Haste Geo R Ward—I Bluxome Jr

On motion

Resolved That Peter D Headly be added to the members of Finance Committee

Report of Ex Committee on by laws read—and passed

On motion Mr Ward

Resolved That companies of 20 be formed & elect their Captains and report between now and friday night²—

On motion

Resolved That no Spirituous Liquors shall be introduced into the quarters of the Committee of Vigelance on any account whatever—If it be necessary that the guard on duty at night should have a stimulus of some Kind—the Sergt at Arms shall procure the necessary means for supplying hot coffee—The Sergt at Arms shall enforce this rule³

² See note 6, p. 341.

³ The receipts for refreshments and provisions furnished the Committee up to this date, show that liquor had been purchased in generous quantities. (See vouchers Nos. 14, 21, 49, 57, 58, 101, 111, pp. 774-801.) After the passage of this resolution, voucher No. 101 shows that one box of

[July 23, 1851]

Also That quiet & order be maintained after the hours of 11 o'clock and any wranglers or disputes occurring after that time shall subject the offending parties to a fine of 5\$—for each offense—and failing to pay it in three days after such occurrence they shall incur the punishment of expulsion from this body—

On motion Mr Throckmorton

Resolved—That no resolution shall be entertained before this Committee except the same be offered in writing and signed by the number of the member by whom the same is offered

Preamble—Inasmuch as so large a body of men cannot move together to any effect without reducing the power into an essence emanating from a few which is the Action of the whole—and as it is the Regulation of common sense and custom that such a concentrated power should exist to which we should all comply cheerfully having the good of the whole at heart in all our actions—therefore

Resolved That the Com of Vigelance do consider that it is absolutely necessary for the proper government of the body—that a strict discipline should be maintained among that portion on duty—and that when the Chief gives his orders and instructions they are imperative and must be obeyed as implicitly, as those emanating from a Commanding Officer at a Military post to the Officers and men under his command—

On Motion Adjourned

[Signed] Isaac Bluxome Jr

Secretary

Vigilance Committee Chambers July 23. 1851

MISCELLANEOUS PAPERS

[By-Laws⁴]

There shall be elected monthly a President Secretary & Treasurer of the Committee of Vigilance⁵

There shall be appointed by the Com. of Vigilance a Sergeant at Arms, Marshall or Chief of Police and Assistant Marshalls

claret and three gallons of "alcohol" were bought, but no other items, of a similar nature, are recorded.

⁴ This undated document appears to be a copy of the by-laws passed July 23.

⁵ See note 4, p. 2.

[July 22, 1851]

Also That quiet & order be maintained after the hour of 11 o'clock and any members or persons occurring after that time shall subject the offending parties to a fine of \$5—For each offense—and failing to pay it in three days after such occurrence they shall incur the punishment of expulsion from this body—

On motion Mr. Thompson

Resolved—That no resolution shall be entertained before this Committee except the same be offered in writing and signed by the number of the members by whom the same is offered

Resolved—Inasmuch as so large a body of men cannot move together to any effect without reducing the power into an immense emanating from a few which is the action of the whole—and as it is the legislation of common sense and custom that such a concentrated power should exist to which we should all comply cheerfully having the good of the whole at heart in all our actions—therefore

Resolved That the Com. of Vigilance do consider that it is absolutely necessary for the proper government of the body—that a strict discipline should be maintained among that portion on duty—and that when the Chief gives his orders and directions they are imperative and must be obeyed as implicitly as those emanating from a Commanding Officer at a Military post to the Officers and men under his command—

On Motion Adjourned

[Signed] Isaac H. Wilson Jr.

Secretary

Vigilance Committee Chambers July 22 1851

MICHAELSON'S PATENT

[Mr. Jones]

There shall be elected annually a President Secretary & Treasurer of the Committee of Vigilance

There shall be appointed by the Com. of Vigilance a Sergeant at Arms Marshal or Chief of Police and Assistant Marshalls

These and three others of "stool" were bought but no other items of a similar nature are reported

This related document appears to be a copy of the by-laws passed July 22

See note # p. 2

[July 23, 1851]

Five also an Executive Committee of Twenty members—The Pres^t of the V. C. acting ex of.

The balance of the Com. of Vig. shall be divided into squads or companies of 20 men each.—Each squad shall elect its own captain—The object of this subdivision is to make members better acquainted one with the other and each captain with the whole of his particular company.—At the present time there will consequently be about thirty Captains—The Comp^s shall be numbered from 1 to 30.^a—

It will be the duty of each Captain to see that the men under him attend properly to guard & other duties assigned them;—that they pay their fines dues &c when delinquent—and he shall report them for bad or suspicious conduct. as well as neglect of duty when necessary—

Two squads or Companies will furnish the exact number of men requisite for the guard during the 24 hours. And they shall be ordered to do duty by the Sergeant at Arms through their Captains in regular rotation: Comp^s 1 & 2, one day, 3 & 4, the next & so on

From the companies not on duty,—the Chief of Police or his Assistants, may at all times select such men as he may require for police duty, giving his orders to such men always thro' the Captains of their respective Companies—as for example, Captain of N^o 30, I require from your Company by 12 o'clock 3 men, who shall proceed, &c &c.—

After the Chief of Police, or any of his assistants shall have taken or received any prisoners,—he or they shall turn them over to the Sergeant at Arms. provided he consider that the quarters under charge of said Sergeant are sufficiently secure to keep them safely. But should he the Chief think proper for the better keeping of said prisoners to remove them to other quarters than those in the building used by the Com. of Vig., he may have the power to do so.—It is to be perfectly understood that until they are so turned over by the Chief or his assistants, they the said

^a Mr. T. J. L. Smiley said in his dictation that there was no military organization of the Committee of '51, except on the occasion of the execution of James Stuart, and this measure, although adopted, was probably never carried out. MS *Statement*, Bancroft Library, p. 5.

San Francisco Committee on Vigilance of 1851 341
 [July 22, 1851]
 Five also an Executive Committee of Twenty members—The
 Pres. of the V. C. acting ex. of.
 The balance of the Com. of V.C. shall be divided into squads
 or companies of 20 men each.—Each squad shall elect its own
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 No. 30, I require from your Company by 12 o'clock 5 men who
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 After the Chief of Police or any of his assistants shall have
 taken or received any prisoners—they shall turn them over
 to the Sergeant at Arms, provided he considers that the quarters
 under charge of said Sergeant are sufficiently secure to keep
 them safely. But should he the Chief think proper for the better
 keeping of said prisoners to remove them to other quarters than
 those in the building used by the Com. of V.C., he may have the
 power to do so.—It is to be perfectly understood that until they
 are so turned over by the Chief or his assistants, they the said
 prisoners shall be under the protection of the V.C. and shall not
 be liable to any assault or injury from any person.
 *Mr. T. J. L. Butler said in his statement that there was an ordinary
 organization of the Committee of 30, except on the occasion of the
 execution of James W. Smith, and this statement, although adopted, was prob-
 ably never carried out. His statement, however, is correct.

[July 23, 1851]

Chief &c are responsible for them—But after being placed in the hands of the Sergeant then he the S— shall become responsible for the said prisoners—and the Chief & his assistants have no longer any authority to act in the disposition of said prisoners unless notified to do so by an order from the Executive Com.— Should it happen however, that during the absence of a quorum of said Ex. Com., the Sergeant at Arms might think it necessary to send prisoners forth from the building to more secure quarters then, he may have the power to place such prisoners at such time in the hands of the Chief or his assistants directing them to carry said prisoners to such quarters as he or they (the Chief &c) may think safe—and thereupon the authority & power of said S— at Arms over said prisoner or prisoners shall cease. And the Chief or his assistants shall become responsible for said prisoners so removed.

It shall be the Sergeant at Arms duty to take all care & charge of the prisoners in the building occupied by the Vig. Com.—to take proper means to prevent the admission of any but members, witnesses or prisoners into said building—also to see that the said building is properly cleaned lighted &c and to do such other duty in the way of sending notices, advertisements &c &c as may be ordered by the Executive Com., or by vote of the Com. of Vig. He shall moreover have the power whenever in his judgement necessary to prevent all communication between members of the Com. of Vigilance & such prisoners as are in his charge, excepting the members of the Ex. Com., whose orders at all times when emanating from the Chairman of said Com., he shall obey.—but not otherwise unless signed by a quorum consisting of 5 of said Ex. Com. It is of course understood that any order issuing from the Com. of Vigilance by votes of said Com., shall be obeyed by the Sergeant.

The duty of the Chief of Police & assistants shall be to detail all possees for the purpose of arresting prisoners or guarding them when out of the building—They shall have the power of making such details at any time when so ordered by the Ex. Com., or by general vote of the Com. of V— and all orders given by said Chief & ass[istants] are to be implicitly obeyed by the possees so detailed If at any time while the Ex Com, or a

[July 23, 1821]

Chief &c are responsible for them—But after being placed in the hands of the Sergeant then by the S—shall become responsible for the said prisoners—and the Chief & his assistants have no longer any authority to act in the disposition of said prisoners unless notified to do so by an order from the Executive Com—Should it happen however, that during the absence of a quorum of said Ex Com, the Sergeant at Arms might think it necessary to send prisoners forth from the building to more secure quarters then, he may have the power to place such prisoners at such time in the hands of the Chief or his assistants directing them to carry said prisoners to such quarters as he or they (the Chief &c) may think safe—and thereupon the authority & power of said S—at Arms over said prisoners or prisoners shall cease, and the Chief or his assistants shall become responsible for said prisoners so removed.

It shall be the Sergeant at Arms duty to take all care & charge of the prisoners in the building occupied by the Ex Com—to take proper means to prevent the admission of any but members, witnesses or prisoners into said building—also to see that the said building is properly cleaned lighted &c and to discharge other duty in the way of seeing order & convenience &c as may be ordered by the Executive Com, or by vote of the Com of Vig. He shall moreover have the power whenever in his judgment necessary to prevent all communication between members of the Com of Vigilance & such prisoners as are in his charge excepting the members of the Ex Com, when orders at all times when emanating from the Chairman of said Com, he shall obey—but not otherwise unless directed by a quorum consisting of 5 of said Ex Com. It is of course understood that any order issuing from the Com of Vigilance by the vote of said Com, shall be obeyed by the Sergeant.

The duty of the Chief of Police & assistant shall be to detail all powers for the purpose of arresting prisoners or conveying them when out of the building—They shall have the power of making such details at any time when so ordered by the Ex Com, or by general vote of the Com of V—and all orders given by said Chief & assistant are to be implicitly obeyed by the possessors as detailed. It at any time while the Ex Com or a

[July 23, 1851]

quorum of said Com. are absent it should be considered necessary for the safety of prisoners, or for the purpose of carrying out any plan for the arrest of prisoners &c to detain all members in the room until said safety is insured or said prisoners arrested, then the said Chief or his assistants and also the Sergeant at Arms shall have the power to close the doors so as to prevent the egress of any member of the Com. of V.

At any time that any prisoner is brot in during the absence of a quorum of the Ex Com., it shall be the duty of the S— at Arms to notify a quorum of said Com. of said fact, so that they may immediately go into an examination of the charges against against said prisoners.—

All orders issuing from the Ex. Com. whether to the Sergeant or to the Chief of Police or to other guards &c said orders shall be returned endorsed with the report of the parties to whom said order or orders were issued.—

The S—at Arms and Chief of Police are to receive their orders from the Ex. Com. or by vote of Gen^l Com and are to be particularly under surviellance of said Ex. Com.

During the absence of the Marshall & his assistants their authority (with respect to detailing guard for any immediate duty or the execution of any order from the Ex. Com.) shall devolve upon the S— at Arms.—

That the Chief of Police be allowed ingress & communication with the prisoners.

[Endorsed:] passed

W^m Mitchell. Evidence vs. Adams July 23 1851

W^m Mitchell— Have known Adams for several months.— have known him to have been connected with a gang of thieves and burglars here for over a year—Adams, Billy Hues or Swan

alias Swan, Watkins—these four men lived in a house opposite to mine on Card's Alley, between Green & Vallejo Sts—they had a vice in the house, and heard and seen them at work frequently—have no doubt they were manufacturing Burglars tools—Yates also stopped at this house, and a woman by the name of Jenny who appeared to be common to them all—She had

quorum of said Com. are absent it should be considered necessary for the safety of prisoners or for the purpose of carrying out any plan for the arrest of prisoners &c to detain all members in the room until said safety is assured or said prisoners arrested, then the said Chief or his assistants and also the Sergeant at Arms shall have the power to close the doors so as to prevent the egress of any member of the Com. of V.

At any time that any prisoner is held in during the absence of a quorum of the Ex Com. it shall be the duty of the S- at Arms to notify a quorum of said Com. of said fact so that they may immediately go into an examination of the charges against said prisoners.

All orders issuing from the Ex Com. whether to the Sergeant or to the Chief of Police or to other guards for said orders shall be returned endorsed with the report of the parties to whom said order or orders were issued.

The S- at Arms and Chief of Police are to receive their orders from the Ex Com. or by vote of said Com. and are to be particularly under surveillance of said Ex Com.

During the absence of the Marshall & his assistants their authority (with respect to detentions) issued for any immediate duty or the execution of any order from the Ex Com. shall devolve upon the S- at Arms.

That the Chief of Police be allowed ingress & communication with the prisoners
[Endorsed:] passed

W. Mitchell, Esq. Secy. of Finance July 22 1851

W. Mitchell— Have known Adams for several months— have known him to have been connected with a gang of thieves and burglars here for over a year—Adams tells them in Swan alias Swan, Watkins—these four men lived in a house opposite to mine on Church's Alley, between Brown & Taylor Sts— they had a vice in the house and house and kept them at work frequently—have no doubt they were manufacturing their tools—Yates also stayed at this house and a woman by the name of Jenny who appeared to be common to them all—She had

[July 23, 1851]

as she called him a brother whose name was Smith—generally called Pete—I have seen him going in and out with small pieces of iron, and believe him to have been the workman for the rest. Pete—is a tall slim man black eyes teeth gone—is a blacksmith—arrested him once for breaking the peace—pretty hard character, but a very good mechanic as they all said—Yates also was a good white smith. Adams name in Sydney was Jack Dandy—as I have been credibly informed—was considered there a bad man and his fellow mechanics would have nothing to do with him—I never was able to connect them in any crime until up to the time of Stevensen's affair.— The day previous saw them—Adams, Billy Hughes, Swan Watkins, Belcher Kay, Yates, and a little fellow by the name of Butler.—in the house before mentioned—I was sitting in my own house opposite to them watching them—saw them engaged in very earnest conversation together and my opinion is that they were dividing the watches and jewelry stolen from a dutchman on Pacific St.—they had a newspaper looking over it, and appeared to be examining the description of something important—saw Butler go away in the Boat for Sacramento—carried away with [him] a valise which appeared to [be] heavier than clothing and my opinion is that he carried away the plunder.— The next day was Sunday—I watched Adams and Watkins closely. Swan was there—do not recollect if Kay was there—Watkins went away first, and made a motion with his hand, and Adams went out and joined them—I followed and they went to Briers. I went to my house again & went back again. Saw them go out & go up to Gamboll on Stockton St I left them there—

I went to Sac.^{to} last Saturday week. I met Belcher Kay at Orleans House. He turned pale on seeing me. & said this is a sad affair this disclosure of Stuart. "I said to some people tis" "But says he this can all be explained it comes from drinking too much & getting damn drunk. but I am going down & can explain it to the satisfaction [of] all"— His manner & appearance carried conviction to my mind that he was connected with the affair. I have seen him with Stuart & all the scoundrels about the street,—but never could connect him with any affair here—At Sac.^{to} City he had rather come with an officer than with

[July 22, 1851]

as she called him a brother whose name was Smith—generally called Pete—I have seen him going in and out with small pieces of iron, and believe him to have been the workman for the rest. Pete is a tall thin man, black eyes, black nose—very hard smith—arrested him once for breaking the peace—quite a hard character, but a very good mechanic as they all said—Yates also was a good white smith. Adams name in Sydney was Jack Handy—as I have been credibly informed—was considered there a bad man and his fellow passengers would have nothing to do with him—I never was able to connect him in any other way up to the time of Stevenson's affair—The day previous saw them—Adams, Billy Hughes, Sam, Watson, Webster Kay, Yates, and a little fellow by the name of Butler—in the house before mentioned—I was sitting in my own house opposite to them watching them—saw them engaged in very earnest conversation together and my opinion is that they were dividing the watches and jewelry stolen from a gentleman on Pacific St—they had a newspaper hanging over it and appeared to be examining the description of something important—saw Webster carry in the boat for Stevenson—carried away with him a rifle which appeared to [be] heavier than others and my opinion is that he carried away the plunder—The next day was Sunday—I watched Adams and Watson closely. Saw them there—do not recollect if Kay was there—Watkins went away first, and made a motion with his hand, and Adams went out and joined them—I followed and they went to Butler. I went to my house again & went back again. Saw them go out & go up to Campbell on Jackson St. I left them there—

I went to Sam's last Saturday week. I met Webster Kay at Orleans House. He turned pale on seeing me & said that he had taken the dishonor of Stuart. "I said to some people that" "But says he this can all be explained—it comes from drinking too much & getting down drunk. But I am going down & can explain it to the satisfaction [of] all."—He returned & appeared once carried conviction to my mind that he was connected with the affair. I have seen him with Stuart & all the secondaries about the street—but never could connect him with any other part—At Sam's City he had rather come with an officer than with

[July 23, 1851]

the Committee His friends there asked me why I did not take him I said I had nothing against him.

I have seen Belcher Kay in company with Jimmey from Town—John Edwards—Whitaker—McCormick and all others of the gang at all hours of the day and night—

[Signed] W^m Michel

San Francisco July 23. 1851

[Case of Adams, Burns, Ainsworth and Arthur]

The Executive Committee, respectfully submit the Testimony taken in the following cases to wit:

Adams, Alias Wilson

Burns " Jemmy from Town

Ainsworth " Roundhead

as well as the statement made by each Prisoner on his seperate examination

From the statements elicited as well as from the Evidence. your Committee think that these Prisoners should be handed over with the Documents to the Constituted Authorities, and to require of them to immediately try, and condemn or acquit, according to the circumstances of each particular case

Your Committee respectfully make these suggestions on the ground, that from information received, and in their opinion reliable, that the Court has a Prisoner by the name of Robinson,⁷ and from the nature of the Evidence, it is thought the trial of Burns should be had in connection with Robinson whereby greater justice will be meted out to them, Jemmy from Town has evinced the utmost obstinacy and hardness of nature, and should be tried at this time from the causes set forth

[Signed] S Payran

Presdt of Ex. Co

July 23rd 1851

Attest W^m C Graham Secty

⁷ Richard Plunkett, alias Robinson, had been arrested May 21, in company with Jimmy from Town, and charged with assisting the latter in rifling the trunk of a man named Bread or Breed. Plunkett preferred to stand trial, rather than escape when Jimmy broke jail, and when his case came up in the Court of Sessions, July 26, he convinced the jury that he had merely been employed to carry the stolen articles and was ignorant of the robbery. *S. F. Herald*, Law Intelligence, July 28.

Richard Plaster, alias Robinson, had been arrested May 21, 1851, and
 sent to the County Jail, and charged with keeping the 15th of
 the month of a man named Fred or Fred. Plaster delivered to
 stand trial, rather than escape when James Burns and John
 came up in the Court of Sessions July 20, he continued the day, that
 he had merely been employed to carry the coffee and was innocent
 of the robbery. A. M. Hume had been arrested July 22.

Attest Wm C Graham Secy

July 23rd 1851

Treaty of M. Co

[Signed] S Barton

be tried at this time from the names yet forth
 evinced the utmost obstinacy and baseness of nature, and should
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 Burns should be had in connection with Robinson whereby
 and from the nature of the Evidence, it is thought the trial of
 reliable, that the Court has a Prisoner by the name of Robinson,
 ground, that from information received, and in their opinion
 Your Committee respectfully make these suggestions on the
 according to the circumstances of each particular case.
 require of them to immediately try, and condemn or acquit
 over with the Documents to the Committee Antislavery and
 your Committee think that these Prisoners should be handed
 From the statements elicited as well as from the Evidence
 examination

as well as the statement made by each Prisoner on his separate
 Almsworth " Robinson
 Burns " James from Town
 Adams, Allen Wilson
 taken in the following cases to wit:
 The Executive Committee respectfully submit the Testimony
 [Case of Adams, Burns, Almsworth and Arthur]

San Francisco July 23. 1851

[Signed] Wm Michel

the gang at all hours of the day and night—
 Town—John Edwards—Wilson—St. Crockett and all others of
 I have seen Belcher Kay in company with Henry from
 him I said I had nothing against him
 the Committee His friends there asked me why I did not take

[July 23, 1851]

Executive Chamber

July 23 1851

Your Committee also present, that Hays—& Baker are witnesses against Burns, Ainsworth, and Adams, and as such should be sent up with the Prisoners, or kept in our Custody, so that they may be had to testify in these cases, perhaps one of the greatest Evils attending the adjudication of cases in our City is that of being unable to obtain the witnesses at the time of Trial

Respectfully

[Signed] S Payran

Presdt of Ex Co

Attest W^m C Graham Sect^y

Executive Chamber

July 23^d 1851

Your Committee respectfully present the Case of George Arthur charged with an attempt at Burglary, by breaking into a Dwelling House on the night of the 22 & 23^d July

The testimony which has been taken by your Committee is conclusive and needs no comment, and the crime worthy of the severest penalty of the Law

They would suggest the propriety of handing this Prisoner over, requiring that the case be submitted to the present Grand Jury

[Signed] Stephen Payran

Presdt of the Ex. Com

To the Chief of Police

Sir You are hereby ordered to deliver into the possession of the Civil Authorities the following Prisoners

Jimmey from town alias James Burnes

Ainsworth alias roundhead

& George Arthur and take a receipt for the same

By order of General Committee

[Signed] Isaac Bluxome Jr

San Francisco July 23. 1851

[Annotated:] The above order was executed last night at
11 O'clock

The Prisoners James Burns & Ainsworth were delivered

The Prisoners James Burns & Alonworth were delivered
 [Annotated] The above order was executed last night at
 San Francisco July 22. 1851
 By order of General Committee
 (Signed) James Buchanan Jr
 Alonworth alias roundhead
 Jimmy from town alias James Burns
 of the Civil Authorities the following Prisoners
 Sir You are hereby ordered to deliver into the possession
 To the Chief of Police
 (Signed) Stephen Payson
 President of the H. Com
 over, requiring that the same be submitted to the present Grand
 Jury
 They would suggest the propriety of handing this Prisoner
 severest penalty of the Law
 The testimony which has been taken by your Committee is
 a Dwelling House on the night of the 22 & 23rd July
 Arthur charged with an attempt at burglary, by breaking into
 Your Committee respectfully present the Case of George
 July 22nd 1851
 Executive Chamber
 Attest Wm G Graham Secy
 (Signed) S Payson
 President of H. Co
 Respectfully
 is that of being unable to obtain the witness at the time of Trial
 greatest Exile attending the adjunction of cases in our City
 they may be had to testify in these cases, perhaps one of the
 be sent up with the Prisoners, or kept in our County, so that
 nesses against Burns, Alonworth and Adams, and as such should
 Your Committee also present that Hays & Baker are wit-
 July 22 1851
 Executive Chamber
 346
 Academy of Pacific Coast History
 (July 22, 1851)

San Francisco
July 23rd 1851
Received
Of the Committee of Vigilance
of the City of San Francisco
The following Prisoners handed over to the
Sheriff of said County by order of said
committee

James Burns (alias Jimmy from Texas) . . .
Ainsworth (alias Roundhead)

The above prisoners being in sound in body
& health

Received the above prisoners
from J. Wank Bokelen of the Vigilance Committee
Wednesday night July 23rd

John L. Hays
Sheriff
San Francisco
Received

Received of the Committee of Vigilance
a prisoner named George Arthur
accused of House Breaking.

The above prisoner has been received from
J. Wank Bokelen of committee

Wednesday night July 23rd 1851

John L. Hays
Capt. of Police
Station

Received of the Treasurer of the
County of ... the sum of ...
for ...
...
...

...
...
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...

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...
...
...

[July 23, 1851]

into Custody of the Sheriff & George Arthur to the City Marshall in whose case it is requisite to have witnesses in attendance before Recorder at Ten Oclock this morning accompanying please find receipt for above prisoners

[Signed] J. L. Van Bokkelen

Chief of Police

Thursday morning 9 O'clock

July 24 1851

Receipt for Prisoners from Sheriff Hays, with order

July 23. 1851

Received San Francisco July 23rd 1851

Of the Committee of Vigilance of the City of San Francisco

The following Prisoners, handed over to the Sheriff of said County by order of said committee:

James Burns, (alias Jimy from Town)

Ainsworth, (alias Roundhead

The above prisoners being sound in body & health.

Received the above prisoners from J. L Van Bokkelen, of the Vigilance Committee

Wednesday night July 23rd

[Signed] John C Hays

Sheriff

"

W^m. Lambert

Keeper

Received of the Committee of Vigilance a prisoner named George Arthur accused of House Breaking.

The above prisoner has been received from J. L Van Bokkelen of Committee.

Wednesday night, July 23rd 1851

[Signed] Sam^l C. Harding

Capt 3^d Dist Police Station

[Report of the Committee Appointed to Investigate the County Jail]

To the Executive Committee

The Committee appointed to investigate the building of the

To the Executive Committee
The Committee appointed to investigate the building of the

(County Jail)

[Report of the Committee appointed to investigate the

Cap. St. Police Station

(Signed) Sam C. Harding

Wednesday night July 23rd 1891

ten of Committee.

The above prisoner has been removed from J. L. Van Hook's

George Arthur accused of House Breaking.

Received of the Committee of Vigilance a prisoner named

Keppel

W. Lambert

Sherrill

(Signed) John C. Hayes

Wednesday night July 23rd

Vigilance Committee

Received the above prisoners from J. L. Van Hook's of the

The above prisoners being found to be of a healthy

Almsworth (alias Roundhead

James Burns (alias Jim from Texas)

County by order of said committee;

The following prisoners handed over to the Sheriff of said

also

Of the Committee of Vigilance of the City of San Fran-

Received

San Francisco July 23rd 1891

July 23 1891

Receipt for prisoners from Sheriff Hayes with order

July 23 1891

Thursday morning 8 O'clock

Chief of Police

(Signed) J. L. Van Hook's

and receipt for above prisoners

Recorded at Ten O'clock this morning accompanying please

in whose case it is requisite to have witnesses in attendance before

into Custody of the Sheriff & George Arthur to the City Marshal

SAN FRANCISCO COMMITTEE OF VIGILANCE ON 1891 247

(July 23 1891)

[July 23, 1851]

County Jail by order of the late Court of Sessions *report* that, the lot 60 feet on Broadway by 157½ ft deep, was purchased of E Moses on the 5 Aug '50 for the sum of \$15000 (Fifteen thousand Dollars) one half payable 9 Jan'y 1851 & one half payable 9 July 1851, for which sum county scrip was issued bearing (3) three per cent per month secured by a mortgage on the property.

This mortgage was transferred to Jonathan D Stevenson, by him assigned to E P Jones, and by him assigned to Harvey S Brown (one of the Associate Justices of the Court of Sessions) and Martha McGowan (wife of the other Associate Justice) and by them assigned to Felix Argenti. (\$4000) Four Thousand Dollars with interest still remains due thereon.—

That the sum of \$11245⁹⁰ Eleven thousand two hundred & forty five ⁹⁰/₁₀₀ Dollars was paid for excavation before the said lot was in condition to receive the first stone of the foundation, and *that* in all a sum exceeding \$50000. (Fifty Thousand Dolls) has been actually expended upon the said Jail in *Cash* by the County as will appear by the Treasurer's Books besides a mechanic's lien that now encumbers the premises for more than \$2000. (Two Thousand Dollars)

Your Committee also finds that altho' the sum for which the Prison lot was purchased of E Moses was \$15000, that person received "Building Fund Scrip"^s for \$19240. all of which, (with the exception of \$4000, now due on the mortgage held by F Argenti) has been redeemed.

In the opinion of your Committee (taking into consideration the expense of excavation) the prison lot at the time of purchase was not worth more than (\$1000) One Thousand Dollars. and was entirely too small and inelligibly located for the purpose of a County Jail, and the labor performed on the building, at

^s The extravagance of the San Francisco officials had quickly imposed upon the city a heavy financial deficit, and to meet it, certificates of indebtedness had been issued in such large sums that the paper had greatly depreciated, and contractors and merchants demanded payment far in excess of the face value of the scrip legitimately due them. On May 1, 1851, the legislature passed an act to fund the floating debt of the city of San Francisco, which then exceeded \$1,500,000, and the holders of city scrip realized large sums by converting it into the new bonds, which had a much higher market value. See T. H. Hittell, *History of California*, 1898, III, 395-399.

(July 23, 1851)

County Jail by order of the late Court of Sessions report that the lot 60 feet on Broadway by 157 1/2 feet was purchased of E. Moses on the 5 Aug. 50 for the sum of \$15000 (Fifteen thousand Dollars) one half payable 9 Jan'y 1851 & one half payable 9 July 1851, for which said county scrip was issued bearing 3) three per cent per month secured by a mortgage on the property. This mortgage was transferred to Jonathan D. Stevenson, by him assigned to E. P. Jones, and by him assigned to Henry S. Brown (one of the Associate Justices of the Court of Sessions) and Martha M. Brown (wife of the other Associate Justice) and by them assigned to Felix Argenti (\$4000) Four Thousand Dollars with interest still remains due thereon—

That the sum of \$11245 "Eleven thousand two hundred & forty five Dollars was paid for execution before the said lot was in condition to receive the first state of the foundation, and that in all a sum exceeding \$20000 (Twenty Thousand Dollars) has been actually expended upon the said Jail in 1851 by the County as will appear by the Treasurer's Books besides a mechanic's lien that now constitutes the premises for more than \$2000 (Two Thousand Dollars)

Your Committee also finds that after the sum for which the Prison lot was purchased of E. Moses was \$15000, that per- son received "Building Fund Scrip" for \$15000 all of which (with the exception of \$1000, now due on the mortgage held by F. Argenti) has been redeemed.

In the opinion of your Committee (taking into consideration the expense of execution) the prison lot at the time of purchase was not worth more than (\$1000) One Thousand Dollars and was entirely too small and ineffectively located for the purpose of a County Jail, and the labor performed on the building at

* The extravagance of the San Francisco officials had greatly increased upon the city a heavy financial deficit, and to meet its necessities it had been found in such large sums that the report had greatly depreciated, and contractors and merchants demanded payment for the excess of the tax value of the scrip (approximately the time—on May 1, 1851, the legislature passed an act to fund the deficit of the city of San Francisco, which was assessed at \$1000000, and the balance of the scrip reduced large sums by converting it into the city bonds which had a much higher market value. See T. H. Buelch, History of California, 1868, II, 305-306.

[July 23, 1851]

the time the same was handed over to the Sheriff, was not at all commensurate with the amount of funds expended.

In connection with the present report your Committee have also to remark, that property on the Plaza in two separate lots, was also purchased by the late Court of Sessions for \$60000. (Sixty Thousand Dollars) each the one from Mess E. Laffan

D. W. Coit, & Chs A Greeley & the other from C V. Gillespie Esq both parties were secured by mortgage on the premises for the full amount of the purchase money and to the first mentioned was also issued scrip. A foreclosure of the former has been commenced and the property will soon be liable to sale under judgement which judgement will not in all probability be satisfied by \$40000.—while the scrip in the hands of innocent third parties remains good against the County. This judgement will also become a lien upon the County Prison, with all other County property as your Committee, in the absence of legal advice, believes and therefore *recommends* that the funds collected by the Vigilance Committee “for the purpose of completing the Jail” be *not* expended on said building without a further investigation of this point.

As far as time has permitted your Committee has investigated the course of the late Court of Sessions in the building of the Jail and, incidentally, the fiscal affairs of the County, and cannot resist the conclusion that, the said Court has been guilty of wanton extravagance in the disbursements of the public funds, that it has exhibited a total absence of prudence, ability and judgement in the management thereof and your Committee is, therefore constrained to believe that Roderick N Morrison, Edward McGowan and Harvey S Brown must have been influenced by motives of private interest in the course adopted by them.

All of which your Committee respectfully submit.

San Francisco July 22^d 1851

[Signed] H. S. Gates Chairman

“ Geo R. Ward

“ Robert Wells

“ Daniel J Thomas Jr

“ W. L. Hobson

the time the same was handed over to the Sheriff, was not at all commensurate with the amount of funds expended.

In connection with the present report your Committee have also to remark that property on the Plaza in two separate lots was also purchased by the late Court of Sessions for \$20,000. (Sixty Thousand Dollars) each - the one from Miss E. Jackson D. W. Coit & Co. A. Greeny & the other from C. V. Gillette. Each both parties were secured by mortgage on the premises for the full amount of the purchase money and in the first instance was also issued scrip. A mortgage of the latter has been commenced and the property will soon be liable to sale under judgment which judgment will not in all probability be satisfied by \$20,000. - while the scrip in the hands of innocent third parties remains good against the County. This judgment will also become a lien upon the County Prison, with all other County property as your Committee, in the absence of legal advice believe and therefore recommend that the funds collected by the Vigilance Committee "for the purpose of conducting the Jail" be not expended on said building without a further investigation of this point.

As far as time has permitted your Committee has investigated the course of the late Court of Sessions in the building of the Jail and, incidentally, the fiscal affairs of the County, and cannot resist the conclusion that the said Court has been guilty of wanton extravagance in the disbursement of the public funds, that it has exhibited a total absence of prudence, ability and judgment in the management thereof and your Committee is therefore constrained to believe that Jackson N. Johnson, Esq. ward McGowan and Harvey S. Rogers must have been influenced by motives of private interest in the course adopted by them.

All of which your Committee respectfully submit.

San Francisco July 22, 1851

[Signed] W. R. Gates Chairman
 Geo. H. Ward
 Robert Webb
 Daniel J. Thomas Jr.
 W. L. Johnson

THURSDAY, JULY 24, 1851

MISCELLANEOUS PAPERS

[Resignation of C. H. Brinley]

San Francisco 24. July 1851

Sir:

I beg to tender my resignation to the Ex: Com: and through them to the Genl Com: with the request that you will also lay before them the desire, that I also wish to resign from the Genl Com:—

I shall always feel the same interest in the body as heretofore, and shall lose no zeal by the change:

I am Sir

Your most Obt. svt.

[Signed] C H. Brinley

To Presdt of Ex Com: S. Payran Esq.

[Addressed:]

S. Payran Esq.

Presdt of Ex. Com:

[Communication from W. C. Graham]

Ex Com

I would particularly call your attention and that of the Ex Committee to the letter rec^d some time since in regard to a toast drank at Goffs by Mr Merrideth—the Chief Marshal is in possession of the same with some other misconduct of the said M and only wants evidence sufficient to bring him to punishment.—

One of the Grand Jury has been here in regard to T B Kays Case and wishes if possible some evidence whereby he can be held.—

Respectfully

[Signed] W^m C Graham

San Francisco 24 July 1851.—

Sam L Dewey [in relation to Meridith]

for the Committee of Vigilance

Messrs Brunill & Co Proprietors of Peoples Market next door to Panama House kept by Goff in Mission Street, Informed

[July 24, 1851]

the Subscriber of a sentiment he had proposed and drank at the House kept by Goff—by the Captain of first District Police Mr Meridith,

here is hoping we may have another great fire soon—and burn up the rest of the Damned City

Upon the utterance of the above sentiment Mr Bunill entered the door, when Meridith partly turned & added, I have no interest in the damned town I dont care a damn

Gent. What in the name of High Heaven can we expect from foreigners, adventurers, and characters of bad repute from wherever they came when we have such men, occupying such places “places of trust bestowed by those in authority” giving out such sentiments as the above—from the same authority I hear that Goff intends to contest the right of the Committee to order him to leave.

I am very Respectfully yours &c

Sam L Dewey

Peter Kennan in relation to Beck

S. F. July 24th 1851

Gentlemen

I have been called upon by the wife of Henry Beck who stated that he was held by your committee for evidence against Adams she wishes me to state what I know of Beck. I have known him for about one year have sold him goods on credit which he has always paid punctually—he owned a boat and carried passengers from the shipping his wife washed for me and I always considered him an industrious & honest man and his wife a very respectable woman.

Respectfully Yours

[Signed] Peter Kinnan

To Committee of Vigilance

I have known Henry Beck for Eighteen months have worked for Kinnan on board store ship *Frances Ann* about nine months and fully concur in the above

[Signed] John White

San Francisco Committee on Vigilance for 1851 251
[July 26, 1851]

the Subscriber of a sentiment he had proposed and drunk at
the House kept by Goff--by the Captain of the District Police
Mr. Meridith,

here is hoping we may have another great fire soon--and
burn up the rest of the Damned City

Upon the utterance of the above sentiment Mr. Howell entered
the door, when Meridith partly turned & added, I have no in-
terest in the damned town I don't care a damn

Gent. What in the name of High Heaven can we expect from
foreigners, adventurers and characters of bad repute from
wherever they come when we have such men occupying such
places "places of trust bestowed by those in authority" giving
out such sentiments as the above--from the same authority I
hear that Goff intends to contest the right of the Committee to
order him to leave.

I am very Respectfully yours &c

Saml J. May

Peter Kinnam in relation to Beck

S. F. July 24th 1851

Gentlemen

I have been called upon by the wife of Henry Beck who
stated that he was held by your committee for evidence against
Adams she wishes me to state what I know of Beck. I have
known him for about one year. I have sold him goods on credit
which he has always paid punctually--he owned a boat and car-
ried passengers from the wharves. his wife washed for me
and I always considered him an industrious & honest man and
his wife a very respectable woman.

Respectfully Yours

[Signed] Peter Kinnam

To Committee of Vigilance

I have known Henry Beck for eighteen months have
worked for Kinnam on board steam ship Fenners for about nine
months and fully count in the above

[Signed] John White

FRIDAY, JULY 25, 1851

MINUTES

[*Minutes July 25 1851*]

G. W. Ryckman in the Chair

Geo: M. Garwood Sec^{ty}.

Members present J. B. Huie G. F. Schenck E. Gorham

F. A. Woodworth J. L. Brinley F. C. L. Wadsworth

Two letters rec^d from "Sacramento City" rec^d (signed many Citizens) ordered to be placed on file—Communication received from A. J. Mc Carty offered by F. C. L. Wadsworth, who was ordered by a *Resolution* to inform Mr Mc Carty that when Charges were preferred he would be sent for—.Report of the Committee to wait on the "British Consul" rec^d. Committee disch^d and report ordered to be placed on file—

Eugenio Gazales, called into the Ex Committee room. No evidence of Guilt against him—"Resolved" that the said Eugenio Gazales be discharged—

On motion of J. B Huie the Committee adjourned until tomorrow evening Seven P. M.

Friday evening July 25th 1851

[Signed] George W Garwood Secty—

[Signed] G. W. Ryckman Pres pro tem
Executive Chamber

MISCELLANEOUS PAPERS

E Gilbert & Co. Eds Alta California July 25, 1851

Alta California Office

San Francisco, July 25, 1851

Gentlemen—

Enclosed you will find a letter which we have received from Sacramento. As we know nothing of its authorship, and can see no good to be gained by its publication, we comply with the request contained in it, and forward it to you.

Yours &c.

[Signed] E. Gilbert & Co.

To "The Vigilance Committee"

San Francisco Califa

Friday, July 25, 1851

MINUTES

[Minutes July 25, 1851]

G. W. Hyckman in the Chair

Geo: M. Garwood Secy.

Members present J. B. Huie G. F. Schenk E. Gibson

F. A. Woodworth J. I. Brinsley F. C. L. Washburn

Two letters recd from "Sacramento City" recd signed many

Citizens ordered to be placed on file—

Communication received from A. J. McCarty signed by

F. C. L. Washburn who was ordered by a resolution to in-

form Mr. McCarty that when charges were preferred he would

be sent for—

Report of the Committee to wait on the "British Consul"

recd. Committee dischd and report ordered to be placed on file—

Eugene's Gazette called into the Ex Committee room No

evidence of guilt against him—"Resolved" that the said Eugene's

Gazette be discharged—

On motion of J. B. Huie the Committee adjourned until to-mor-

row evening Seven P. M.

Friday evening July 25th 1851

[Signed] George W. Garwood Secy—

[Signed] G. W. Hyckman Pres pro tem

Executive Chamber

MISCELLANEOUS PAPERS

F. Gilbert & Co. 204 Alca California July 25, 1851

Alca California Office

San Francisco July 25, 1851

Gentlemen—

Enclosed you will find a letter which we have received from
Sacramento. As we know nothing of its authorship and can
see no good to be gained by its publication we comply with the
request contained in it and forward it to you.

Yours &c

[Signed] F. Gilbert & Co.

To "The Vigilance Committee"

San Francisco Califo

[July 25, 1851]

*Signed Many Citizens. Sacramento City, July 24. 1851*Eds of *Alta Cal.*

Gents should the enclosed be worthy of a place in your valuable paper we should be pleased to see it appear—should you not feel inclined to let it appear will you do us the favor to place it in the hands of the Vigilance Committee as soon as possible & oblige very Respectfully

Your fds

Sac City 24th July 1851

Many Citizens

[Addressed:]

Eds of "*Alto California*"

San Francisco

Sac City July 24th 1851

To the Vigilance Committee San Francisco

Gentlemen—It may not be inopportune at this time for us to state to your honorable body some important information in regard to the out-laws of this country & being the only source we look for true justice to be meted out to those who deserve it for various crimes committed—we would urge upon you to keep in custody one of the greatest villians that ever lived in any community and that individual is *T Belcher Kay* whom you have in your own hands at present¹—and who will shortly be proved to you to be a villian of the deepest die—a murderer, thief and robber—this miscreant is endeavoring by his adroitness to put forth to the public & to the world that he is innocent, and that he has been wrongfully caged—but you may rest assured that you will have undoubted facts before you shortly to prove his guilt—and we would recommend in the strongest terms to have him kept in close confinement and not let him at large under any circumstances—you have the whole community on your side & they will coincide with you in your every act in trying to ferret out the scoundrels that infest our Country—*We are law abiding Citizens*, but when we have known so many rogues to escape punishment who have been in the hands of the law, we are decidedly in favour of a more efficient way of bringing such rascals to the just punishment they deserve—and never was there a more judicious plan devised for a country like ours, than the one

¹ This was an error. See note 26, p. 232.

San Francisco Committee of Vigilance of 1851
[July 27, 1851]
Signed Many Citizens. Sacramento City, July 24, 1851

Ed. of Alta Cal.
Gents should the enclosed be worthy of a place in your
valuable paper we should be pleased to see it appear—should
you not feel inclined to let it appear will you do us the favor to
place it in the hands of the Vigilance Committee as soon as
possible & oblige very Respectfully

Your lbs

Many Citizens

San City 24th July 1851

[Addressed]

Ed. of "Alta California"
San Francisco

San City July 24th 1851

To the Vigilance Committee San Francisco
Gentlemen—It may not be important at this time for us to
state to your honorable body some important information in re-
gard to the out-laws of this country & being the only source we
look for true justice to be meted out to those who deserve it for
various crimes committed—we would urge upon you to keep in
custody one of the greatest villains that ever lived in any man-
nity and that individual is T. Richard King whom you have in
your own hands at present—and who will shortly be proved to
you to be a villain of the deepest dye—a murderer, thief and
robber—this miscreant is endeavoring by his advances to put
forth to the public & to the world that he is innocent and that
he has been wrongfully seized—but you may rest assured that
you will have undoubted facts before you shortly to prove his
guilt—and we would recommend in the strongest terms to have
him kept in close confinement and not let him at large under any
circumstances—you have the whole community on your side &
they will coincide with you in your every act in trying to bring
out the scoundrels that infest our Country—It is our law which
Gentlemen, but when we have known so many reasons to escape
punishment who have been in the hands of the law we are in-
clined in favour of a more efficient way of bringing such scoundrels
to the just punishment they deserve—and never was there a
more judicious plan devised for a country like ours than the one

This was an error. See note on p. 102.

[July 25, 1851]

you have adopted—& you may depend that you have the great majority in your favour notwithstanding what is said to the contrary—we have wondered why you do not advertise for information which may lead to the detection of many villians now running at large—and some too there are who hold office professing to do strict justice toward capturing rogues—some of these very men are *known* to be linked in with these desperadoes and which will be made known to you shortly—means are now being employed to give you every information to capture & punish these when you find undoubted proof of their guilt—We trust Gentlemen that you will be upheld in taking the step you have—and we certainly owe much to you for your indefatigable exertions thus far in trying to preserve the lives & property of your fellow-citizens by the organization of the “Vigilance Committee” We can already discover that it has struck terror among that class who came to this country for no other purpose than to plunder & murder—we trust that you will not shrink from the good cause you have enlisted in, until every Scoundrel shall be blotted from our pages—

[Addressed:]

Many Citizens

Vigilance Committee

San Francisco

[*Report on Deportation of British Convicts*]

To the Executive Committee of the V. C.

In pursuance with your instructions to Enquire whether The British Consulate could appropriate funds for the return passage of British Subjects who had entered this state contrary to its Laws, Your committee have to report:

That Her Majestys Consul can only appropriate funds for the return of indigent British Sailors, and this only under the *most urgent Circumstances*.

Which report we respectfully submit

[Signed]

E A Luwerkrop

“

Geo. R Ward

San Francisco 25th July 1851.

Committee

[Annotated:] Rec^d. Committee discharged and report placed on file

[July 22, 1881]

you have adopted—& you may depend that you have the great majority in your favor notwithstanding what is said in the contrary—we have wondered why you do not advertise for information which may lead to the detection of many villains now running at large—and some too there are who hold office pretending to do strict justice toward capturing rogues—some of these very men are known to be linked in with these desperadoes and which will be made known to you shortly—means are now being employed to give you every information to capture & punish these when you find undoubted proof of their guilt—We trust Gentlemen that you will be upheld in taking the steps you have—and we certainly owe much to you for your indefatigable exertions thus far in trying to preserve the lives & property of your fellow-citizens by the organization of the "Vigilance Committee." We can already discover that it has struck terror among that class who came to this country for no other purpose than to plunder & murder—we trust that you will not shrink from the good cause you have enlisted in until every Scoundrel shall be blotted from our pages—

[Addressed:]

Vigilance Committee
San Francisco

[Report on Deportation of British Subjects]

To the Executive Committee of the V. C.

In pursuance with your instructions to Enquire whether the British Consulate could appropriate funds for the return passage of British Subjects who had entered this state contrary to its laws, Your committee have to report:

That Her Majesty's Consul can only appropriate funds for the return of indigent British Sailors and this only under the most urgent circumstances.

Which report we respectfully submit

[Signed] E. A. Lawthrop

Geo. H. Ward

San Francisco 22nd July 1881
[Annotated:] Res. Committee discussed and report placed on file

[July 25, 1851]

[Letter from W. C. Kibbe. Sacramento]

Mr Higgins

Sir please present. the enclosed letter to the vigilance committee, with the thanks of Mess Hill & Lumm

And oblige

Yours Truly

[Signed] W C Kibbe

W L Higgins Esq.

Sac City July. 25/51

Sacramento City July 25th 1851

To the Vigilance Committee San Francisco,

Gentlemen We have this day arrested the man Alexander Chapman whose description we left with you a few days since charged with stealing money from us.² Chapman has acknowledged the theft and a portion of the money has been recovered. he has also implicated another party in the matter by the name of Hodges who has also been arrested. both of whom were taken before a justice and bound over for trial. There are numerous charges preferred against Hodges. alias--Crane--Smith--&c. of Theft and one of murder. We should be most happy to render your very efficient committee any and every assistance in our power in bringing thieves and lawless villians to justice.

Very Respectfully

Your Obt--Servts--

F. Lumm

Jas & Jno Hill

per. W. C. Kibbe

[Addressed:]

Wm. L Higgins Esq

Care Cartwright, Higgins & Co

California below Sansome St

San Francisco

² See p. 289.

San Francisco Committee on Vigilance of 1851 325
[July 25, 1851]
[Letter from W. C. Kibbe, Sacramento]

Mr Higgins
Sir, please present the enclosed letter to the vigilance com-
mittee, with the thanks of Mrs Hill & family
And oblige

Yours Truly
[Signed] W C Kibbe

W I Higgins Esq
San City July 25-51

Sacramento City July 25th 1851

To the Vigilance Committee San Francisco.
Gentlemen We have this day arrested the man Alexander
Chapman whose description we left with you a few days since
charged with stealing money from us. Chapman has acknowl-
edged the theft and a portion of the money has been recovered.
He has also implicated another party in the matter by the name of
Hodges who has also been arrested. Both of whom were taken
before a justice and bound over for trial. Their are numerous
charges preferred against Hodges. Some -Crane-Smith- &c of
Theft and one of murder. We should be most happy to render
your very efficient committee any and every assistance in our
power in bringing thieves and justice villains to justice.

Very Respectfully

Yours Obedt-Servt--

E. Lamm

125 & 126 Hill

per W C Kibbe

[Addressed:]

Wm I Higgins Esq
Care Cartwright Higgins & Co
California below Sansone St
San Francisco

SATURDAY, JULY 26, 1851

MINUTES

Minutes of Genl Com July 26, 1851

Mr Selin E Woodworth in the Chair

Minutes of previous meeting read & adopted

On motion of Mr R S Lamotte

Resolved That each Marshall appointed by the Chief of Police shall have power to designate from volunteers "Five" men to serve under his Command and that the men so selected be excused from all except Police duty provided this resolution shall not prevent the Chief or his Marshalls from calling at their discretion on Captains of Companies for the detail already provide for—

On motion of James C Ward

Resolved That the Committee of Finance be instructed to report on Monday next to the Ex Com the Amount of receipts & disbursements (the latter particularised) to this date—The object of having this report is to enable the Committee to take measures to reduce the large expenses under which this association is so unnecessarily laying at the present time

On motion Mr Jas C Ward

Resolved That Commissioners to the number of five be now appointed whose duty it shall be to see that the Gaol funds be properly & economically disbursed—also as it is ascertained that the Jail property is now heavily mortgaged—that said Commissioners be instructed to report by next Saturday Evening, whether the funds can be safely put into improvements on the New Gaol—if not they lay before the Committee some safe & suitable plan for the purpose of finishing said Gaol & carrying out the views of the Sheriff and Citizens of San Francisco with regard to this very important matter—The following are the Committee F A Woodworth H S Gates S R Throckmorton Saml Brannan Henry A Barling

On motion—*Resolved*, that five more be appointed on that Committee—passed The following gent were added—W D M Howard James King of W^m James Dows Beverly C Saunders Isaac Bluxome Jr

SATURDAY, JULY 26, 1931

MINUTES

Minutes of Genl Com July 26, 1931

Mr Selin E Woodworth in the Chair

Minutes of previous meeting read & adopted

On motion of Mr H S Lammotte

Resolved That each Marshall appointed by the Chief of Police shall have power to designate from volunteers "Five" men to serve under his Command and that the men so selected be excused from all except Police duty provided this resolution shall not prevent the Chief or his Marshalls from calling at their discretion on Captains of Companies for the details already provided for—

On motion of James C Ward

Resolved That the Committee of Finance be instructed to report on Monday next to the Ex Com the amount of receipts & disbursements (the latter particularly) to the date—The object of having this report is to enable the Committee to take measures to reduce the large expenses under which this association is so unnecessarily laboring at the present time

On motion Mr Jas C Ward

Resolved That Commissioners to the number of five be now appointed whose duty it shall be to see that the Genl funds be properly & economically disbursed—also as it is ascertained that the Jail property is now heavily mortgaged—that said Commissioners be instructed to report by next Saturday Evening whether the funds can be easily put into investments on the New Gael—if not they lay before the Committee some safe & suitable plan for the purpose of finishing said Gael & carrying out the views of the Sheriff and Citizens of San Francisco with regard to this very important matter—The following are the Committee P A Woodworth H S Lammotte H E Throckmorton Saml Brennan Henry A Harting

On motion—Resolved That five more be appointed on that Committee—passed The following were added—W D M Howard James King of Wm James Cook Beverly C Saunders Isaac Hartman Jr

[July 26, 1851]

On motion Dr Stout

Resolved That a Committee of three be appointed by the Chair who shall examine the question of the use & abuse of the writ of Habeas Corpus and report the same to this Committee with its opinion of the degree of respect which shall be accorded by the Vigilance Committee to that writ¹. The following were appointed as the Com Dr A B Stout— W L Bromley Cha^s H Brinley—

On Motion Adjourned

[Signed] Isaac Bluxome Jr
Secretary

MISCELLANEOUS PAPERS

[*Draft of a Resolution relating to Charles Duane*]

"Whereas in the late trial of Cha^s. Duane alias "Dutch Charley" the Jury have acted like men, true to themselves and the desire of their fellow Citizens, *Resolved* that in the opinion of this Committee, that the verdict is just & proper, and that Judge Campbell has Entitled himself to our highest regards in the dispensation of Justice Even handed.²

631. V. C. [C. Bohrer]

[Annotated:] laid on table July 26. 1851

[*Draft of a Resolution*]

Resolved That the *S at Arms* or in his absence the *Chief of Police* have power at their *discretion* to admit any *Civil officer* of the County [and that the *S at Arms* have power to admit to his own room, any person he may wish admitted³] Except in time of meeting

No 605 [Joseph Eyre]

[Annotated:] laid on table. July 26, 1851

¹ Service of writs of habeas corpus had been evaded by the Committee in the case of at least three prisoners, Stuart, Goff, and Le Bras, but the course was not taken without serious misgivings on the part of some members. The committee appointed on this date reported on August 2 (pp. 404-407), and the decision there submitted is one of the most interesting expressions of the ideas which dominated the leaders of the Committee of Vigilance.

² Duane was on this day convicted of the assault on F. A. Ball. See note 3, p. 96.

³ The words enclosed in brackets have been crossed out.

On motion Dr Stout

Resolved That a Committee of three be appointed by the Chair who shall examine the question of the use & abuse of the writ of Habeas Corpus and report the same to this Committee with its opinion of the degree of respect which shall be accorded by the Vigilance Committee to that writ. The following were appointed as the Com. Dr A B Stout— W E Kennedy—
Chas H Brinsley—

On Motion Adjourned

[Signed] Isaac Wilkinson Jr

Secretary

MISCELLANEOUS PAPERS

[Draft of a Resolution relative to Charles Hansen]

"Whereas in the late trial of Chas Hansen alias 'Hatch' Charles," the Jury have acted like men, true to themselves and the desire of their fellow Citizens. Resolved that in the opinion of this Committee, that the verdict is just & proper; and that Judge Campbell has entitled himself to our highest regards in the dispensation of Justice from henceforth."

Edw V C [C. Roberts]

[Annotated:] laid on table July 26, 1851

[Draft of a Resolution]

Resolved That the S of Aymon in his office the City of Police have power at their discretion to admit any City officer of the County (and that the S of Aymon have power to admit to his own room, any person he may wish admitted.) Except in time of meeting

No 605 Joseph Myers

[Annotated:] laid on table July 26, 1851

* Service of writs of Habeas Corpus had been denied by the Committee in the case of at least three prisoners, Stuart, Galt and LeBaron, but the course was not taken without serious reflection on the part of some members. The committee unopposed on this date reported on August 2 (pp 404-407), and the decision they submitted is one of the most interesting expressions of the logic which motivated the leaders of the Committee of Vigilance.

* Hansen was on this day committed to the custody of H. A. Hall. See note 3, p. 98.

* The words enclosed in brackets have been revised out.

[July 26, 1851]

[Communication from Mr Payran]

To the Members of the Executive Committee

Gentlemen Owing to business affairs in the Harbor, I could not be with you last Evening, which I much regret; you will therefore be good enough to receive my apology especially as I am the first Delinquent under the new order;

Truly Yours

July 26 1851

[Signed] S Payran

Bob. Trinidad July 26th 1851

Trinidad July 26, 1851

The Schr *Fayaway* has on board a lot of Portuguse who broke into a tent at Elk Camp about 25 miles from here and stole all the things which were there. they were followed down here arrested and let off with a fine I believe them to be a bad set of fellows and wish the vigilance committee to keep their eye on them they had just returned from the mines.

they gave their names as

Jos Smith

Frank Kenny

Manuel Orion

Geo Williams

Frank Joseph

Wm Laurence

John Thomas

I see by the papers that in Stewarts confession he says one Bob McKensie was intere[s]ted with him this fellow has been here some time a Boatman and has now gone to Shasta and if you want him arrested send me the proper documents and I will do it.⁴

Yours

Bob

To F. A. Woodworth Esq
San Francisco

[Addressed:]

F. A. Woodworth Esq

Care Mess Woodworth & Morris

Clay Street Wharf

San Francisco

⁴ See note 27, p. 232.

[July 26, 1931]

[Communication from Mr. Patten]

To the Members of the Executive Committee
Gentlemen: Owing to business affairs in the Harbor, I could not be with you last evening, which I much regret; you will therefore be good enough to receive my apology especially as I am the first Delinquent under the new order.

Truly Yours

[Signed] S. Patten July 26 1931

Bob, Thursday July 26, 1931

Thursday July 26, 1931

The Schur Payaway has on board a lot of Portgers who broke into a tent at Elk Camp about 35 miles from here and stole all the things which were there. They were followed down here arrested and let off with a fine. I believe them to be a bad set of fellows and wish the vigilance committee to keep their eye on them. They had just returned from the mines they gave their names as

John Thomas	Frank Joseph
Manuel Orion	Geo Williams
Joe Smith	Frank Henry

I see by the papers that in Stewart's confession he says one Bob McKenna was interested with him. This fellow has been here some time a boatman and has now gone to Stewart and if you want him arrested send me the proper documents and I will do it.

Yours

Bob

To Mr. A. Woodworth Esq

San Francisco

[Addressed:]

F. A. Woodworth Esq

Carr Moss Woodworth & Morris

Clay Street Ward

San Francisco

Enclose note of p. 355

SUNDAY, JULY 27, 1851

MISCELLANEOUS PAPERS

[Report of D. J. Thomas, Jr. Case of Belcher Kay]

Sir According to yr instructions I detailed a guard of one to ascertain the whereabouts of Belcher Kay—Proceeded to Sheriffs Office found it locked up—Went to Jail asked to be admitted; was allowed to go in—ask'd about Kay said he was in that cell—offered to open it & show me—declined the offer as I had full confidence in his word—asked whether K had been out today; said not except in the yard to Church¹—and authorized me to go halves in any bet between \$5 & \$5000 that no man had seen him in the streets this day—

Resp^t yr

[Signed] Dan' J Thomas Jr

Marshall 4

7/27/51

To C of Police

Geo H Sanderson. Stockton July 26th 1851

Stockton 26 July /51

Dear Sir

I wish to inform you of the escape of a notorious Horse Thief from our County Jails last evening he was undergoing his sentence of four years his description is as follows

Lewis Mack aged 27 years 5 feet 6 or 7 inches in height long light hair fair smooth complexion wore a Hickory Shirt. Grey Pants. Cloth Cap. & Shoes features round Eyes Blue. hails from New York speaks Spanish & Indian. is One of Stevensons Regiment in Capt Taylors Company² has

¹ The Steamer Edition of the *S. F. Herald*, July 29, reported that Sheriff Hays had recently inaugurated the custom of holding Sunday services in the court of the new jail.

² The name of Louis Mack appears among the members of Company E, Captain Nelson Taylor, First N. Y. Volunteers (F. D. Clark, *The First Regiment of N. Y. Volunteers*, N. Y., 1882, p. 38). Another copy of this letter, addressed to the Vigilance Committee of Sacramento has been preserved in the files.

Sunday, July 21, 1851

MISCELLANEOUS PAPERS

[Report of D. J. Thomas, Jr. Case of Belcher Kay]

Sir: According to yr instructions I detailed a guard of Sheriff's Office found it locked up—Went to Jail asked to be admitted; was allowed to go in—ask'd about Kay said he was in that cell—offered to open it & show me—declined the offer as I had full confidence in his word—asked whether he had been out today; said not except in the yard to Church;—and authorized me to go halves in any bet between \$5 & \$5000 that no man had seen him in the streets this day—

Respectfully,

[Signed]

Dan J. Thomas Jr.

Marshall

7/21/51

To C of Police

Geo H. Sanderson. Stockton July 20th 1851

Stockton 25 July '51

Dear Sir

I wish to inform you of the escape of a notorious felon, Thiel, from our County Jail last evening. he was undergoing his sentence of four years. his description is as follows: Lewis black aged 27 years 5 feet 8 or 7 inches in height long light hair fair smooth complexion wore a Hibernian shirt Grey pants. Cloth Cap & Shoes features round Eyes Blue. hails from New York speaks Spanish & Italian is One of Stevenson's Regiment in Capt Taylor's Company; has

* The Steamers Edition of the N. A. Herald, July 20, reported that Sheriff Hays had recently inaugurated the custom of holding weekly reviews in the court of the new jail.
* The name of Lewis Mack appears among the members of Company F, Captain Nelson Taylor's First N. Y. Volunteers Co. H. Clark, the First Regiment of N. Y. Volunteers, N. Y. Herald, p. 250. Another copy of this letter addressed to the Vigilance Committee of Sacramento has been preserved in the files.

[July 27, 1851]

lived in the lower county for some months—If this man is in your vicinity arrest him and send for us and oblige

your Servt

[Signed] Geo H Sanderson

Secy Stockton Vigilance Committee

[Annotated:] Placed on book of Records July 27. 1851

I B Jr

Certificate of Membership of Samuel W Langton

Downieville July 27. 1851

This is to certify that the bearer Samuel W. Langton is a member of the Vigilance Committee of Downieville Cal and as such is deligated, by us, said Vigilance Committee, to receive what information or communications any other kindred associations may be disposed to favor us with.

Downieville July 27, 1851

[Signed] A. W. Brockelbank

Cor Sect.

[Signed] E Durgen, President

attest Kent Wright, Recording Secretary

Testimony of Fanny Seymour. Sunday July 27th 1851

[Case of T B Kay]

San Francisco July 27/51

Fanny Seymour³ being sworn Deposeth and says that on or about the last of October or first of Nov'r last (1850) T Belcher Kay came to the House called "Palace" in company with a man by the name of Charley, (this Charley has since died) I knew T. B. Kay while I resided in San Francisco) in the evening Kay & Charley called for a bottle of Champingine paid for it, drunk it and went out, about 8 or 9 O'Clock Alice and myself were standing in the gallery—we saw three men coming to my house

³ The *S. F. Herald*, July 28, stated that Fanny Seymour, an important witness in the case of Belcher Kay, had arrived from Sacramento to give evidence before the grand jury. That she also appeared before the Vigilance Committee is evident from the fact that the second portion of her statement is in the handwriting of Isaac Bluxome, Jr., and that, on Sept. 9, the Committee authorized the payment of a bill of \$50 for bringing her to headquarters. See voucher No. 42, p. 781.

[July 27, 1861]

lived in the lower county for some months—If this man is in your vicinity arrest him and send for us and oblige

Your Servant

[Signed] Geo H Sanderson

Sec. Stockton Vigilance Committee

[Annotated] Placed on back of Memoirs July 27, 1861

I B Jr

Certificate of Membership of Samuel W. Langston

Downsville July 27, 1861

This is to certify that the bearer Samuel W. Langston is a member of the Vigilance Committee of Downsville Cal and as such is delegated by us said Vigilance Committee to receive what information or communications any other kindred associations may be disposed to favor us with.

Downsville July 27, 1861

[Signed] A. W. Brockbank

Cor. Sec.

[Signed] E. Burton, President

attest Kent Wright, Recording Secretary

Testimony of Fanny Seymour, Sunday July 27th 1861

[Case of T. H. Kay]

San Francisco July 27, 61

Fanny Seymour, being sworn Deposition and says that on or about the last of October or first of Nov's last (1860) T. H. Kay came to the House called "Palace" in company with a man by the name of Charley (this Charley has since died). I know T. H. Kay while I resided in San Francisco in the evening Kay & Charley called for a bottle of Champagne and for a drink it and went out about 8 or 9 O'Clock. Alone and myself were standing in the gallery—we saw three men coming to my house

The E. F. Howells July 27, stated that Fanny Seymour an independent witness in the case of Belcher Kay, had stated that statement to give evidence before the grand jury. That she also appeared before the Vigilance Committee is evident from the fact that the grand jury of her statement is in the handwriting of James Buchanan Jr. and that on Sept. 9, the Committee authorized the payment of a bill of \$25 for bringing her to headquarters. See minutes No. 45, p. 781.

[July 27, 1851]

from the direction of the "Hawthorene" Cottage, I remarked to "Alice" "there comes three fellows, we will get some wine out of them" they came in. Kay called for a Bottle of wine "Kay did not drink his wine but poured it out privately into the spittoon, the Miner & Charley drank theirs," then Charley called a bottle of wine, Kay did not drink any of this bottle, but also poured it in the spittoon under the table but the Miner did, (I thought it strange that Kay did not drink his) then the Miner observed it is now my treat, and called for a bottle of wine. Kay did not drink any of this, pour in the spittoon as previously but the Miner did, Charley paid me \$10. for his wine, the Miner was pretty tight, the Miner took out a bag of Dust & said you see I have plenty of money to pay to you, threw it on the table and observed if that is not enough I have more, he then took out another Bag—I remarked you had better put your money up Kay took my scales to weigh out \$10. & handed me when I took it I thought it felt heavy for that am't afterwards reweighed it and found it weighed \$30. (he put it in a paper when he handed it to me) Kay then said to me Fanny bring me another Bottle of wine, I went in to another Room to get the wine when B. Kay came to me & handed me a small Bottle and asked me to put ten drops of this (liquid) in his glass (meaning the miners), this Bottle he had taken out of his side coat pocket and urged me repeatedly to put it in the miners glass which I was filling for the miner, I refused he said if I would do it every drop would be worth \$100 to me. "he has plenty of dust." (meaning the miner) and I observed that when I turned Land Pirate I would become such on my own account. I, Fanny, left the phial in the scale Box—the Miner wanted to go up stairs with Alice, (a girl who lived with me) Kay went to Alice and said dont take him (meaning the miner) up stairs as I want to use him—Afterward Alice came to me & said, what does he Kay mean by saying he wants to use him? Kay said to me (Fanny) the man has got plenty of Dust this was at the time he handed me the Bottle (I think the miner must have had at least 4000, or 5000\$) and you are in with me! I said I never made a dollar in that way and never expect to—

They never mentioned the name of the Miner—

from the direction of the "Hawthorne" Cottage. I remarked to
"Alice," "there comes three fellows, we will get some wine out
of them," they came in. Kay called for a bottle of wine. "Kay
did not drink his wine but poured it out privately into the spit-
toon, the Miner & Charley drank theirs," then Charley called a
bottle of wine, Kay did not drink any of this bottle, but also
poured it in the spittoon under the table but the Miner did. (I
thought it strange that Kay did not drink his) then the Miner
observed it is now my treat, and called for a bottle of wine. Kay
did not drink any of this pour in the spittoon as previously but
the Miner did. Charley paid me \$10, for his wine, the Miner was
pretty tight, the Miner took out a bag of Dollars & said you see I
have plenty of money to pay to you, there it is on the table and
observed it that is not enough I have more, he then took out an-
other bag—I remarked you had better put your money up.
Kay took my scales to weigh out \$10 & handed me when I
looked it I thought it felt heavy for that and I afterwards re-
weighed it and found it weighed \$30. (he put it in a paper when
he handed it to me). Kay then said to me, Fanny being me
another bottle of wine, I went in to another room to get the
wine when B. Kay came to me & handed me a small bottle and
asked me to put two drops of this (liquid) in his glass (meaning
the miners), this bottle he had taken out of his side coat pocket
and urged me repeatedly to put it in the miners glass which
I was filling for the miner, I refused. he said if I would do it
every drop would be worth \$100 to me. "he has plenty of that."
(meaning the miners) and I observed that when I turned round
first I would become such on my own account. I Fanny left
the phial in the scale box—the Miner wanted to go up stairs
with Alice (a girl who lived with me) Kay went to Alice and
said don't take him (meaning the miner) up stairs as I want to
use him—Afterward Alice came to me & said, what does he say
mean by saying he wants to use him? Kay said to me (Fanny)
the man has got plenty of that. this was at the time he handed
me the bottle (I think the miner must have had at least \$100 or
\$2000) and you are in with me! I said I never made a dollar in
that way and never expect to—
They never mentioned the name of the Miner—

[July 27, 1851]

The reputation of the "Hawthorne" is Bad, I think Charley Barnett kept the Hawthorne at the time referred to by me in this Deposition

[Signed] Fanny Seymour

Fanny Seymour—*Sworn*—I was stopping at the House of Mrs Ross on the Plaza a few days before the election in April last—when Tom Edwards came to the house in company with a Police officer (as he said) he said he was looking for bail—(I heard he had been indibted for murder)—Tom E asked me if I had sold my houses on Kearny St—I told him yes—he said he was glad I had—that I had done him no harm—and there would be a fire before long on that part of the town—he stated as a reason that he would be revenged on Mrs Ross—I suppose that he thought Mrs Ross lived in the old American Hotel at the time (as he pointed over in that direction when speaking of her)—My houses in Kearney were situated in Kearney St between California & Sacramento St

[Signed] Fanny Seymour

San Francisco July 27. 1851

Statement of Daniel Macintosh. July 27, 1851

Donald Macintosh, Born in Scotland I left Liverpool in the Ship *Ion* of London Capt Hunt I left Liverpool about sixteen Months ago—I left the ship at Callao and came in a Schooner called the *Will O'Wisp* to San Francisco, I arrived in San Francisco about July 1850. I worked for the P. M. S. S. Co: Capt Cox, as a Collier—I worked for them nine mos^s—since which I have worked at a Scow—I live in a Tent with another Man by the name of Sales I lived on the Sand Hills below California for Ten Months—

MONDAY, JULY 28, 1851

MINUTES

[Minutes of Executive Committee July 28, 1851]

Executive Chamber

The Executive Committee Convened this 28th Day of July

302
 [July 27, 1851]
 The reputation of the "Hawthorne" as had I think Charles
 Barnett kept the Hawthorne at the time related to by me in this
 Deposition

[Signed] Fanny Seymour

Fanny Seymour—Saw—I was stopping at the House of
 Mrs. Ross on the 17th a few days before the election in April
 last—when Tom Edwards came to the house in company with a
 Police officer (as he said) he said he was looking for him—I
 heard he had been indicted for murder—Tom E. asked me if I
 had sold my house on Kearney St—I told him yes—he said he
 was glad I had—that I had done him no harm—and there would
 be a fine before long on that part of the town—he stated as a
 reason that he would be revenged on Mrs. Ross—I suppose that
 he thought Mrs. Ross lived in the old American Hotel at the time
 (as he pointed over in that direction when speaking of her)—
 My house in Kearney was situated in Kearney St between Cal-
 fornia & Sacramento St

[Signed] Fanny Seymour

San Francisco July 27, 1851

Statement of Donald Macintosh, July 27, 1851
 Donald Macintosh, Born in Scotland, I left Liverpool for
 the Ship Lee of London Capt Hunt, I left Liverpool about six-
 teen Months ago—I left the ship at Callao and came in a Schooner
 called the Wm O'Wisp to San Francisco, I arrived in San Fran-
 cisco about July 1850. I worked for the F. M. S. Co. Capt
 Cox, as a Collier—I worked for them nine months which I
 have worked at a Saw—I live in a Ten with another Man by
 the name of Sales, I lived on the Sand Hill below California for
 Ten Months—

Moscow, June 28, 1851

MINUTES

[Minutes of Executive Committee July 28, 1851]
 Executive Committee
 The Executive Committee Convened this 28th Day of July

[July 28, 1851]

1851. Present Capt. Gorham Stephen Payran Mr Wadsworth Bromley Schenck Garwood Woodworth Ellis
Oaks Brinley Presdt of Genl Com:

Finance Committee to report

Sergeant at Arms to Report

Action to be had on the Prison Fund

Report to be made on Prisoners Adams & Hays

Deposition of John Purcell taken as to Adams,

Report of Committee on Dies &c at Custom House received and file.

Resolution of Mr Wadsworth accepted resolution annexed

Resolved That whenever a committee is appointed by the Executive Committee for any duty, where there is any expense incurred, the said Committee shall immediately upon the completion of that duty report a full statement of the expense so incurred—

Also That no bills be paid for boat hire unless the same be ordered by this committee said order to be signed by the president¹

Resolution offered by Mr Wadsworth as per motion in writing—passed—

Resolution of Capt Gorham with respect to handing Sergt at Arms' a/cs to Finance Com:—passed—motion in writing attached—

That the order to the Sergt at arms to hand in his a/cs in detail to the Ex: Com:, be rescinded, and he be requested to present same to the Finance Com:.¹

Order given to Chief of Police to arrest a party of men living on the sand hill near the Steam Paddy, upon information of Mess' Fitzpatrick & Gilman parties suffering from some of the afore mentioned, whom they can identify—

A letter written to Stockton V. C. communicating the fact to them, that Mrs Hogan has left for Stockton, and is in all probability in search for Sam Whittaker—a request to watch her movements

Moved to adjourn

¹ The resolutions thus indicated are attached, by wafers, to the minutes of the day.

The resolutions thus indicated are attached, by water, to the minutes of the day.

Moved to adjourn

her movements

probability in search for Sam Whittaker—a request to watch them, that Mrs. Hogan has left for Stockton and is in all A letter written to Stockton V. C. communicating the fact the above mentioned, when they can identify—

Miss' Fitzpatrick & Gilman parties suffering from some of on the sand hill near the Steam Road, upon information of Order given to Chief of Police to arrest a party of men living sent same to the Finance Com.

detail to the Ex: Com: be resinded, and be requested to pre-

That the order to the Serg: at arms to hand in his eyes in

Resolution of Capt. Graham with respect to handing Serg: at

Arms' & to Finance Com:—passed—motion in writing at-

ing—passed—

Resolution offered by Mr. Wadsworth as per motion in writ-

dent

ordered by this committee said order to be signed by the presi-

Also That no bills be paid for boat hire unless the same be

incurred—

incurrd, the said Committee shall immediately upon the com-

Executive Committee for any duty, where there is any expense

Resolved That whenever a committee is appointed by the

and file.

Report of Committee on Dies &c at Canton House received

Deposition of John Russell taken as to Adams.

Report to be made on Treasurer Adams & Hays

Action to be had on the Prison Fund

Sergeant at Arms to Report

Finance Committee to report

Oaks Brinley Pres: of Genl Com:

Worth Bromley Schenck Garwood Westworth Ellis

1851. Present Capt. Graham Stephen Patten Mr. Wad-

San Francisco Committee of Vigilance of 1851 383

[July 28, 1851]

MISCELLANEOUS PAPERS

Finance Committee Documents

There are	466	fines	at \$5	2330.00
Am ^t collect ^d	8	"	at \$5	\$40.00
Excused	88	"	at \$5	440.00
				<hr/>
				\$1850.00

one fine out of 11 collected, thus far.

July 28th 1851

Respectfully submitted

Robt Wells Coll^r

pr D. L. Oakley

To the Executive Committee

John Purcell Vs George Adams. July 28. 1851

John Purcell Sw[orn] Looking at Prisoner says it is Adams, I do not know much about this man. One night when on the Police I arrested a man by the name of Swan whom I thought was concerned in robbing a man, I took Swan out of a House on Pacific Street, and Adams came to me and asked me to let Swan go, Adams followed me some little distance and knocked me down with his fist, however with the assistance of another officer I succeeded to arrest both Swan & Adams and took them to the Station House, they had a hearing before the Recorder and were turned over to the District Court for trial Swan for Robbery—and Adams for Assault & Battery, Swan remained committed for Trial Adams was bailed out, Swan was tried and acquitted, the witness not appearing—Adams never appeared, know nothing more, than that Adams has since been arrested for the Stevenson's Burglary

[Signed] John Purcell *

Attest S Payran Presdt of Ex Com^e

[Endorsed:] The People vs. Adams

John L Durkee vs George Adams. July 28. 1851

John L Durkee, I know the Prisoner Adams, I know nothing about him except threats made by him. I arrested Adams at one time as an escape Prisoner, he then said that if he got out of

* See Whittaker's opinion of Purcell, p. 480; also note 5, p. 532.

[July 28, 1851]

MISCELLANEOUS PAYMENTS

Finance Committee's Disbursements

There are 488 lines	at \$5	2330.00
Ans. collected	at \$5	440.00
Expensed	at \$5	440.00
		180.00
		\$1850.00

one line out of 11 collected, thus far

July 28th 1851

Respectfully submitted

Hobbs & Wells

per D. L. Osborn

To the Executive Committee

John Parker to George Adams, July 28, 1851

John Parker [Burford] looking at [Burford] says it is Adams. I do not know much about this man. One night when on the Police I arrested a man by the name of Swan when I thought was concerned in robbing a man. I took Swan out of a house on Pacific Street, and Adams came to me and asked me to let Swan go. Adams followed me some little distance and knocked me down with his fist, however with the assistance of another officer I succeeded to arrest both Swan & Adams and took them to the Station House, they had a hearing before the Recorder and were turned over to the District Court for trial. Swan for Robbery—and Adams for Assault & Battery. Swan remained committed for trial. Adams was let off. Swan was tried and acquitted, the witness not appearing—Adams never appeared, know nothing more, than that Adams has since been arrested for the Stevenson's Burglary.

[Signed]

John Parker

Attest S. Bryant, Clerk of Ex-Com.

[Endorsed:] The People vs Adams

John E. Burke vs George Adams, July 28, 1851

John E. Burke, I know the Prisoner Adams. I know nothing about him except threats made by him. I arrested Adams at one time as an escape Prisoner, he then said that if he got out of

* See [Burford's] opinion of Parker, p. 440; also note p. 505.

[July 28, 1851]

Prison he would take my life, he never has had an opportunity of attacking me, some of the Prisoners cautioned me by saying that Adams would put his threats into execution if he should get an opportunity—I know nothing further about him, I arrested Adams at the place called the *Uncle Sam* when it was kept by Tom Burns,

[Signed] John L. Durkee

C W Mc Cauley Vs George Adams. July 28. 1851

C. W. Mc Cauley. I have been attached to the Police of San Francisco, I know Adams, I watched Col Stevensons Office several nights on the night of the 14th March last two men came up stairs and tried the Lock of the Door of the front Office, and then went away; Joseph Marks told me the same men were to come on the next night, the same men came the next night, about 8 or 9 OClock P. M. they tried the front office door with three keys the keys did not fit, they left the Premices again, Marks then told me that the men would not call again to rob the Premices until there should be no moon, I went with Thomas Eddy the next night the 16th about 8. OClock and stood on Harrison Pier, I went from that to the Oyster Saloon next door, three men looked in, Watkins Seymour and Adams, they went from the door of the Saloon to the door of Col Stevensons Office, the next I saw of them was in Col Stevensons Office, I told Adams that if he moved I would shoot him, we searched him, found on him a four barrelled Pistol, we arrested Watkins & Adams in the office of Col S Seymour Gamble & Burns [?] we arrested outside, and placed them all in Prison

[Signed] C W McCaulleny

Attest S Payran

[Order for the Arrest of James Kelly]

Executive Chamber

July 28th 1851

To the Chief of Police

You are hereby requested to detail a Guard arm and equip them for service and proceed forthwith and arrest one James Kelly a Prize Fighter who resides near Alderman Green's House,

Kelly a Prize Fighter who resides near Alhambra Green's House.
 them for service and proceed forthwith and arrest said James
 You are hereby requested to detail a Guard arm and equip
 To the Chief of Police

July 23rd 1881

[Order for the Arrest of James Kelly]
 Executive Chamber

Attest E. F. Ryan

[Signed] C. W. McCauley

office of Col S Seymour Gamble & Burns (I) we arrested out-
 him a four barreled Pistol, we arrested Watkins & Adams in the
 that if he moved I would shoot him. we searched him, found on
 next I saw of them was in Col Stevens Office, I told Adams
 the door of the Saloon to the door of Col Stevens Office, the
 men looked in, Watkins Seymour and Adams they went from
 prison Pier, I went from that to the Oyster Saloon next door there
 Eddy the next night the 16th about 5 O'clock and stood on Har-
 Frances until there should be no more. I went with Thomas
 Marks then told me that the men would not call again to rob the
 three keys the keys did not fit they left the Prisoners again.
 about 8 or 9 O'clock P. M. they tried the front office door with
 come on the next night the same men came the next night,
 then went away; Joseph Marks told me the same men were to
 up stairs and tried the lock of the door at the front Office, and
 on the night of the 14th March last two men came
 Francisco, I know Adams, I watched Col Stevens Office five
 C. W. McCauley. I have been attached to the Police of San

[Signed] John A. Barker

Tom Burns,

Adams at the place called the Lacle Saloon when it was kept by
 opportunity—I know nothing further about him, I arrested
 Adams would put his threats into execution if he should get an
 attacking me, some of the Prisoners cautioned me by saying that
 Prison he would take my life, he never has had an opportunity of
 [July 23, 1881]
 San Francisco Committee of Vigilance of 1881 323

[July 28, 1851]

said Kelly stands charged with robbery and arson—and bring
said Kelly into the Custody of the Vigilance Committee

Done by order of the Executive

[Signed] S Payran

[Annotated:] Far side of Mr Green's

Statement made by W^m Benj Heppard alias W^m B Robinson²

I was born in New York, no 15 West Broadway in 1819.—
Served for several years as Cook & Steward on different Steam-
boats in the United States. Enlisted in the army in February
1847.—Was attached to Col Longs Regiment of Mounted Rifles—
left Benecia on a furlough from Maj Sewell,—and subsequently
deserted on the evening of the 20th May last.—Came up on
Steamer same night, arrived between 1 & 2 oclock A. M. re-
mained in Sacramento two days—

While there know of Freeman stealing two Horses, he took
them to Stockton, sold them returned, came into Thompsons
and showed me the money—

Monday started by Boat for Marysville and arrived there
about 3 P. M. Tuesday & put up at "Yuba House" Became
acquainted with Hawker & one named Oliver—They are part-
ners, they dress as gentlemen, and are Thieves Burglars Pick
Pockets or anything connected therewith—remained that after-
noon & next day—the day following I left for Longs Bar—saw
at Long Bar Hawker & Oliver—they are the men who tied a man

² Four men, Robinson, Caruthers, Thompson and Gibson, were arrested in Sacramento, July 9, for attacking and robbing James Wilson, in broad daylight, and close to the city. Intense excitement was aroused by the crime, a Vigilance Committee was organized by the citizens, and an attempt was made to take possession of the prisoners and give them immediate trial and punishment. The city officials pledged themselves that speedy justice should be done, and the crowd dispersed without violence. The trials were held promptly, and taking advantage of the act of April 22, 1851 (see p. 39) the jury sentenced Robinson, Thompson and Gibson to die on August 22, but gave Caruthers the lighter penalty of ten years' imprisonment (*S. F. Herald*, July 22). When the date of execution arrived Governor McDougal reprieved Robinson, in whose favor a petition had been circulated, but the indignant citizens seized him and hung him as soon as the bodies of Thompson and Gibson had been removed from the scaffold. The statement printed above was, probably, made by Robinson at or before the time of sentence, and before his death he made a much longer one which the Sacramento papers branded as utterly unreliable. *S. F. Herald*, July 22, August 24, 25, 29.

[July 28, 1831]

said Kelly stands charged with robbery and arson—and bring
said Kelly into the custody of the Vigilance Committee
Done by order of the Executive.

[Signed] S. Payson

[Annotated:] Far side of Mr. Green's

Statement made by Wm West (West) Hapgood sides Wm B Robinson:
I was born in New York, no 15 West Broadway in 1818—
Served for several years as Cook & Steward on different steam-
boats in the United States. Enlisted in the army in February
1847—Was attached to Col Isaac's Regiment of Mounted Rifles—
left Benicia on a furlough from May 2nd—and subsequently
discharged on the evening of the 20th May last—Came up on
Steamer same night, arrived between 1 & 2 o'clock A. M. re-
mained in Sacramento two days—

While there knew of Freeman sending two horses in took
them to Stockton, sold them returned, came into Thompson
and showed me the money—

Monday started by boat for Marysville and arrived there
about 3 P. M. Tuesday & put up at "Yuba House" became
acquainted with Hawker & one named Oliver—They are part-
ners they dress as gentlemen, and are Thieves Highway Pick-
pockets or anything connected therewith—remained that after-
noon & next day—the day following I left for Yuba City—saw
at Long Bar Hawker & Oliver—they are the men who fled a man

Four men, Robinson, Thompson, and others were arrested
in Sacramento, July 5, for attacking and robbing James Wilson, in front
of daylight, and close to the city. Robbery was committed by the
crime, a Vigilance Committee was organized by the citizens, and an
attempt was made to take possession of the prisoners and give them
immediate trial and punishment. The city officials refused immediate
trial, and the crowd dispersed without effect. The crowd dispersed without
effect. The trials were held promptly, and lasting memory of the
event of April 22, 1851 (see p. 38) the jury sentenced Robinson, Thompson
and Gibson to life on August 22, but gave Robinson the right of pardon of
ten years' imprisonment (& K. H. Wood, July 22). When the date of
execution arrived Governor Johnson pardoned Robinson, in whose
favor a petition had been circulated for two hundred citizens signed
him and hung him as soon as the bodies of Thompson and Gibson had
been removed from the scaffold. The statement printed above was
ably made by Robinson at or before the time of sentence, and before his
death he made a much longer one which the Sacramento papers printed
as strictly verbatim. & K. H. Wood, July 22, August 22, 51.

[July 28, 1851]

to a tree & took from him \$1500—got acquainted with “French Bass” alias, John Sullivan—& by him introduced to Henry Wall, an American about 19 yrs old—saw Adams there Saw “Jimney from Town” in Marysville never saw Stewart to know him—Staid at Long Bar nine days, left Monday & returned to “Marysville” remained there about two weeks, in which time became acquainted with Jack Roster—Roster is now in Sacramento—

Jack Roster is about 5 feet 6 or 7 inches high—Black whiskers, moustache, & imperial, is around Houses of ill fame, Dance Houses &c—

One named Frank, his partner is of light complexion, Blue eyes, light brown Hair, no beard, good looking—know of their committing one Robbery, viz a boarding House near Robinsons Theater—took the money from under the Bed of an old man sleeping there—showed me the money it was in Dust—gave me \$100 of the Dust to get changed—the Dust was weighed out to me at a store near the French Restaurant—I took the Dust & went to El Dorado (in Marysville) bet \$10 & lost it & took change for bal. played it with a Mexican—I also became acquainted with Mexican Bill, who keeps the dance House—He rec^d the \$500, (bal of 600) & dispensed it in small sums to Roster & Frank—Know Bill picked the pocket of a miner, named Thompson of Miners bar, of \$190. at the Bar, in his own house—

From Marysville came down with “French Joe”—“Joe” is a mexican & now cooks at the Hermitage on J street—we stop^d here 3 days. met at the Crescent City Jack Roster & Frank Left Sacramento Monday morning in stage for Nevada—there got acquainted with Henry Johnson, W^m Sefton, Charles & Sam^l Korn Brothers & Pick Pockets, Tom McGlackin, Pick Pockets &c just out of Cherry Hill Prison, in Pennsylvania, Chas McGruder, also a Pickpocket—& Burglar, also W^m Jones, alias Peacock follows same trade, and acts as stool Pigeon for Monte Dealers—

Remember but one robbery at Nevada while there—that was in a dance house, next door to Shepards in Broadway, just above the bridge—A miner named Smith from Coyoto diggings was there, he did not like the women, Peacock, Phil Miller & the

to a tree & took from him \$1500—got acquainted with "French
Bass" alias John Sullivan—& by him introduced to Henry
Wall, an American about 19 yrs old—saw Adams there
"Jimmy from Town" in Marysville never saw Stewart to
know him—Staid at Long for nine days, left Monday & returned
to "Marysville" remained there about two weeks, in which
time became acquainted with Jack Hester—Hester is now in San-
Francisco—

Jack Hester is about 5 feet 6 or 7 inches high—Black whiskers
mustache & imperial, is around House of ill fame, Dance
House &c—

One named Frank, his partner is of light complexion, blue
eyes, light brown hair, no beard, good looking—know of their
committing one robbery, viz a boarding House near Robinsons
Theater—took the money from under the Bed of an old man
sleeping there—showed me the money it was in Dust—gave me
\$100 of the Dust to get changed—the Dust was weighed out to
me at a store near the French Restaurant—I took the Dust &
went to El Dorado (in Marysville) bet \$10 & lost it & took change
for bet—played it with a Mexican—I also became acquainted
with Mexican Bill, who keeps the dance House—the rest the \$500
(bet of 500) & dispensed it in small sums to Hester & Frank—
Know Bill picked the pocket of a miner, named Thompson of
Miners bar, of \$100, at the bar, in his own house—

From Marysville came down with "French Joe"—"Joe" is
a Mexican & now cooks at the Hermitage on J street—we stop
here 3 days, met at the Crescent City Jack Hester & Frank
left Sacramento Monday morning in stage for Nevada—there
got acquainted with Henry Johnson, W. S. Cotton, Charles & Henry
Korn Brothers & Rich Poole, Tom McGlaskie, Tom Poole
& just out of Cherry Hill Prison in Pennsylvania, then
McGruber, also a Pickpocket—& Burger, also W. Jones alias
Peacock follows same trade, and sets as steel pigeon for John
Dealers—

Remember but one robbery at Nevada while there—that was
in a dance house, next door to Shepards in Henderson, just above
the bridge—A miner named Smith from Oregon dining was
there, he did not like the woman Peacock, Phil Miller & the

[July 28, 1851]

french Boy "Joe" took hold of him & conducted him to a House on Broadway—knocked for admittance—denied, they then broke the front door open, knocked the miner down and robbed him, and then went up stairs and beat the old man who was in bed with a woman—I was there but 8 or 9 days, from there went to Rough & Ready with "French Joe"—in Rough & Ready about 24 hours—While at Marysville I passed by my true name—

While in Rough & Ready I met with two men whom I consider the most desperate men in the country—One named "Bill Smith"—age about 42. stout built, about 5 feet 8 or 5 ft 9 inches high—dark complexion a gray "goatee" hair some gray & short, bald on top of his head, endeavors to wear his hair so as to cover his baldness—The other, George Thompson, spare built and looks sickly, long black hair combed behind his ears about 5 ft 10 to 5 ft 11 high, aged 35, both natives of Philadelphia.

Bill Smith & Geo Thompson said they were concerned in the Robbery of a safe in San Francisco, with Stewart & Adams—got the safe out of the building, but it was so heavy could get it no further—saw some one coming & was forced to leave it, think they said Jimmy from Town was with them—Then said they got another safe out of the building, burst it open & only got some \$24 or \$34 in silver, & threw the safe into the water—this was on Long Wharf

Smith told me he was concerned with Adams & Stewart in robbing Jansens store in San Francisco—Stewart struck Jansen with a slung shot, made quite a raise & divided the money—

Smith & Thompson were at the Crescent City Hotel the day before I arrived

A Black fellow named Charley, about 6 feet high, lately released from Prison Brig told Smith, Stewart & Adams of a chance, they went & looked at a House in Pacific Street, got out a small safe, burst it open near the door with an axe & got some 8 or \$900—next day left Rough & R by stage leaving Smith & Thompson there, arrived in Sacramento Saturday evening—registered by name at "Bee Hive Bakery" as W^m B Robinson—Same evening went to Tehama Theater—met with Cha^s Wall

[July 22, 1931]

French Boy "Joe" look hold of him & sandwiched him to a House on Broadway—knocked for admittance—denied, they then broke the front door open, knocked the man over and robbed him, and then went up stairs and beat the old man who was in bed with a woman—I was there but 8 or 9 days from there went to Hough & Ready with "French Joe"—in Hough & Ready about 24 hours—While at Marysville I passed by my true name—

While in Hough & Ready I met with two men whom I consider the most desperate men in the country—One named "Bill Smith"—age about 42, stout built, about 5 feet 8 or 9 inches high—dark complexion, a gray "goatee", but some gray & short, held on top of his head, endeavoring to wear his hair as to cover his baldness—The other, George Thompson, spare built and looks sickly, long black hair combed behind his ears, about 5 ft 10 to 5 ft 11 high, aged 35, both natives of Philadelphia.

Bill Smith & Geo Thompson said they were connected in the robbery of a safe in San Francisco, with Stewart & Adams—got the safe out of the building, but it was so heavy could get it no further—saw some one coming & was forced to leave it, think they said Jimmy from Town was with them—Then said they got another safe out of the building, but it open & only got some \$24 or \$34 in silver, & threw the safe into the water—this was on Long Wharf.

Smith told me he was connected with Adams & Stewart in robbing Janssens store in San Francisco—Stewart struck Janssens with a slung shot, made quite a hole & finished the money—Smith & Thompson were at the Crescent City Hotel the day before I arrived.

A Black fellow named Charley, about 4 feet high, lately released from Prison City told Smith, Stewart & Adams of a chance, they went & looked at a House in Pacific Street, got out a small safe, burst it open near the door with an axe & got some \$8 or \$900—next day left Hough & R for some time—Smith & Thompson there, arrived in Sacramento Saturday evening—were started by name at "the live robbery" as W. H. Robinson—Same evening went to Thomas Twiss—met with Geo. Wall

[July 28, 1851]

from Philad^a—Wall is stout built—5 ft 7 or 8 inches high wears half whiskers, jet black and about 50 to 54 yrs of age—A man with him named Cha^s Hecker from New York—between acts came out to drink—as the crowd were getting thro' the door to return to the performance I saw Wall cut with a ring the breast Pocket of an old man & saw Hecker take therefrom a purse, supposed to contain from 6 to \$800—have not seen them since—After leaving the Theater met Jack Roster & Frank—they wanted me to [go] with them—told me they were going to sleep at the Crescent City, where they knew of an old man slept with \$3000 under his bed—wanted me to go as I was known & bore a good character and would not be suspected—next day they called at my room—told me I was a “flat” for not going with them &c & said they stole a ring worth \$50.—

After I was sick they brought a man called Charley, & one called Ben Fuller, a butcher by trade, to my room—the four then went out, took 2 Horses & 4 mules which they sold in Stockton—gone 2 days when they returned & stopped at the Bee Hive.

I was sick 2½ to 3 days, when a man named Romeo, the man arrested here a little time since for stealing cigars, came to my room after I was in bed, and brought with him a Boy who had just escaped from the “Brig”—he was wet through—Romeo wanted clothes for him—the Boy got some clothes—

Romeo, his Brother & the Boy showed me next day at Thompsons (one of my fellow prisoners) two splendid saddles, stolen from a stable here—

Three men at the Arcade, Smith Gibson & another broke open Hardenberghs Store on N Street—

A waiter at Crescent City named Jimmy goes out nights to plunder & steal, waylay men &c—Jimmy went up by the Horse market, opened a House which had just been vacated, broke open trunks & stole therefrom 30 or 40 red hdkfs, shoes &c—

A Jew in the South East corner J & 2^d sts bot the hdkfs & shoes, also a case of black wool Hats which had been stolen from a cart in front of some Auction House in J st—the Jew said he did not want the saddles, wanted Jewelry rich silks &c

Big George belongs in San F. dark complexion, dark curly

from Philad.—Wall is stout built—5 ft 7 or 8 inches high—wears half whiskers, jet black and about 50 to 54 yrs of age—A man with him named Cha, Harker from New York—between acts came out to drink—as the crowd were getting thin, the door to return to the performance I saw Wall cut with a ring the breast pocket of an old man & saw Harker take therefrom a purse, supposed to contain from 5 to \$500—have not seen them since—After leaving the Theater met Jack Harker & Frank—they wanted me to [go] with them—told me they were going to sleep at the Crescent City, where they knew of an old man sleep with \$3000 under his bed—wanted me to go as I was known & bore a good character and would not be suspected—next day they called at my room—told me I was a "fat" for not going with them & said they stole a ring worth \$50—

After I was sick they brought a man called Charley, & one called Hen Fisher, a butcher by trade, to my room—the four then went out, took 2 Horses & 4 mules which they sold in Stockton—gone 2 days when they returned & stopped at the live five.

I was sick 2½ to 3 days, when a man named Romed, the man arrested here a little time since for stealing cigars, came to my room after I was in bed, and brought with him a boy who had just escaped from the "Big"—he was wet through—Romed wanted clothes for him—the boy got some clothes—

Romed, his brother & the boy showed me next day at Thompson (one of my fellow prisoners) two splendid saddles stolen from a stable here—

Three men at the Arcade, Smith, Gilson & another, broke open Harbenberger's Store on N Street—

A waiter at Crescent City named Jimmy took out night to plunder & steal, waylay men &—Jimmy went up by the Union market, opened a House which had just been vacated, broke open trunks & stole therefrom 30 or 40 red velvet shoes &—

A Jew in the South East corner J & 2½ ate out the balls & shoes, also a case of black wood plate which had been stolen from a cart in front of some Auction House in J at—the Jew said he did not want the saddles, wanted Jewellery rich silk &c—
Big George belongs in San F. that companion dark curly

[July 28, 1851]

Hair short behind & long in front, limps when he walks, . . .
—I saw Jack & George take a man out of the El Dorado, & took him out in the bushes & robbed him of some \$65.

Tuesday evening previous to my arrest I met Bill Smith, Chas Thompson, Bill Gruder, Adams, "Jimmy from Town" little Charley, who staid with Mary Sinclair in San Francisco, Roster & Frank, Smith & Gibson—They proposed to go up town & rob the Priest—A Boy Henry who acts as waiter at Crescent City told them there were Trunks at the Priests containing golden images, Jewelry, & some \$3000 in money—Smith Adams, "Jimmy from Town" & boy went to Priests, found the Priest had company in his room & returned without doing anything

About two days after I last came in town Roseter, Romeo, the man on the Brig and Smith went to a clothing store on K st robbed it & sold 21 pr pants at \$4 pr pair to the Jew before mentioned

On the morning of my arrest I met Gibson & Romeo with 4 or 5 doz Penknives, half a Doz Bowie knives & some 10 or 12 Doz white shirts which they had stolen from a wagon before daylight, & carried them to their tent—Know Whittaker—he is now at Grass Valley—Did not go home tuesday night staid at the Creole House, next morning went up to Mrs Grahams for my bitters, saw Caruthers there—asked him to drink, at that time Wilson came in—Caruthers is a Sydney thief from birth—has been engaged in Picking Pockets &c with Jack Smith—

Did not know Belcher Kay

Saw a man one evening at Jack Smiths he was whispering some 15 minutes with Jack, only heard him speak once—then he picked up a chisel from the counter, looked at it & said "its too thick"—Jack replied, "it was one some of the Boys brought in"—it was between 11 & 12 oclock in the evening—when Kay left Jack told me it was Belcher Kay—said he was one of the Boys—

Jack said Kay was the principal instigator in the big Fire in San F—for the purpose of plunder—"Jimmy from Town" "Dutchy," Betts, Adams & Whittaker were concerned—Kay said he would see that the plunder was properly secured &

(July 22, 1921)

hair short behind & long in front, limbs when he walks. . .
—I saw Jack & George take a man out of the El Dorado, & took
him out in the bushes & robbed him of some \$50.

Tuesday evening previous to my arrest I met Bill Smith, Charley, who staid with Mary Sinclair in San Francisco, Boston & Frank, Smith & Gibson—They proposed to go up town & rob the Priest—A boy Henry who acts as waiter at Crescent City told them there were trunks at the Priest's containing hidden treasures. Jewelry & some \$2000 in money—Smith, Adams, "Jimmy from Town" & boy went to Priest's, found the Priest had come away in his room & returned without doing anything.

About two days after I last came in town Hootch, Hansen, the man on the Big and Smith went to a clothing store on E & robbed it & sold 21 pr pants at \$1 pr pair to the Jew before mentioned.

On the morning of my arrest I met Gibson & Adams with 4 or 5 doc. Penitentiary half a doz Bowie knives & some 10 or 12 doz white shirts which they had stolen from a wagon before day-light, & carried them to their tent—Kane Whitaker—he is now at Grass Valley—Did not go home Tuesday night. Staid at the Circle House, next morning went up to Mrs. Graham for my letters, saw Caruthers there—asked him to drink at that time Wilson came in—Caruthers is a Sydney thief from birth—has been engaged in picking pockets &c with Jack Smith—

Did not know Belcher Kay

Saw a man one evening at Jack Smith's. He was whispering some 15 minutes with Jack, only heard him speak once—then he picked up a chair from the counter, backed at it & said "it's too thick"—Jack replied "It was one of the boys from the in"—it was between 11 & 12 o'clock in the evening—when Kay left Jack told me it was Belcher Kay—said he was one of the

Boys—

Jack said Kay was the principal instigator in the big fire in San F—for the purpose of plunder—"Jimmy from Town" "Dutchy," Harris Adams & Whitaker were concerned—Kay said he would see that the plunder was properly secured &

[July 28, 1851]

divided Jack said they raised some \$8000 by it—3 cases of the goods were sent up to the Jew cor J & 2^d before mentioned—

The conversation alluded to between Jack & K took place some 5 or 6 days before I was arrested—Jack agreed to meet Kay the next day—the conversation related to some Brig or Bark lying at the Levee—the vessel is bound for the states—and the plan to rob her two days prior to her intended departure—The steward of the vessel is acquainted with black Charley—and the robbery to be attempted when most of them are ashore—Charley is to hold or tie the steward think the Robbery is still contemplated—

In case the Governor refuses to commute the punishment of the prisoners under sentence of Death, then the following plan is proposed to fire the City—Three men at the Arcade in 2^d st one of them cockeyed, on[e] a sailor, Red shirt & Tarpaulin & one other, Romeo, a big Irishman, known to the writer, red hair & whiskers, a Boy who cooked for him, An Irish Boy, with broken front tooth, once arrested by the vigilance Comm^{ee} of San F. & others are concerned—

They propose to fire by means of a coil of safety fuze, in one end of which is placed a substance which blazes as soon as it communicates with fire—place these in such situations as that when public attention is attracted to one point, the others to be simultaneously ignited to bring the fire around the whole—The fuze was brot from San F.—This has been stated in my presence since I have been sentenced—

Since I was found guilty Jack Smith has told me that Belcher Kay let him have \$650 for two Gold Watches & some half Doz splendid Guard Chains—that one of the watches was worth from 7 to \$800—

Kay got a proportion of the money stolen at Monterey³ but paid it all over in bribes to clear the prisoners, saying they were too good & valuable men to be locked up—that they would be worth more than that at liberty—Jack Smith said that Stewart was a fool to come back, & that he would be hung—after Stewarts execution & confession Jack said Belcher Kay would be hung anyhow—

³ See note 36, p. 235-236.

divided. Jack said they raised some \$2000 by it—2 cases of the goods were sent up to the Jew on J & T's before mentioned—

The conversation alluded to between Jack & K took place some 5 or 6 days before I was arrested—Jack wanted to send Ray the next day—the conversation related to some Hays or Hark lying at the levee—the vessel is bound for the states—the plan to rob her two days prior to her intended departure—the steward of the vessel is acquainted with black Charley—the robbery to be attempted when most of them are asleep—Charley is to hold on to the steward, I think the robbery is still contemplated—

In case the Governor refuses to commute the punishment of the prisoners under sentence of Death, then the following plan is proposed to fire the City—Three men at the Arcade in 2^d at one of them cockeyed, one a sailor, Red shirt & Tartan & one other, Howard a big Irishman, known to the writer, red hair & whiskers, a boy who cooked for him, An Irish Boy, with broken front tooth, once arrested by the vigilance Committee of San F. & others are concerned—

They propose to fire by means of a coil of safety fuse in one end of which is placed a substance which blows as soon as it communicates with fire—place these in such situations as that when public attention is attracted to one point, the others to be simultaneously ignited to bring the fire around the whole—The fuse was first from San F.—This has been stated in my presence since I have been arrested—

Since I was found guilty Jack Smith has told me that Belcher has let him have \$650 for two Gold Watches & some half doz splendid Guard Chains—that one of the watches was worth from 7 to \$500—

Ray got a proportion of the money stolen at Monterey, but paid it all over in bribes to clear the prisoners saying they were too good & valuable men to be locked up—that they would be worth more than that at liberty—Jack Smith said that Stewart was a fool to come back, & that he would be hung—after Stewart's execution & confession Jack said Belcher Ray would be hung anyhow—

[July 28, 1851]

Think the Rolette man in the El Dorado here is implicated with Kay—Know it is the intention of "Jimmy" from Crescent & the men at the Arcade to furnish prisoners with Laudanum night before execution—

I hereby certify that the above is a true copy of the evidence or statement made this day before the Sheriff, Mayor & Mr Ryckman, as taken down at the time

[Signed] L. Curtis,

July 28/51

Mayors Clerk

[*Report of Committee on Dies at Custom House*]

Executive Chamber

Mr. Moffatt

July 27th 1851

Col J. B. Huie

Mr Woodsworth

Gentlemen You are deputed to call at the Appraisers Office, and make an examination of certain Dies &c, and make such arrangements with the Officers of the Customs, as may be necessary to detect the Owner, you will discharge this duty and report to the Executive.⁴

By order of the Executive

[Signed] Stephen Payran

Presdt of Ex of Com

The Committee appointed as above beg leave to report that they have examined the *Dies* in question, and find that the same are not intended for the purpose of counterfeiting the Coin of the United States—

They herewith append impressions taken from two of said Dies.⁵—

All of which is respectfully submitted

[Signed] James B. Huie

“ Fredk A Woodworth

San Francisco 28th—July 1851

⁴ See Report of B. F. Hanna, p. 274.

⁵ Sealing wax impressions of the dies are attached to this report.

[July 28, 1851]

Think the Holste man in the El Dorado bet is implicated with Key—Know it is the intention of "Jimmy" from Crescent & the men at the Arcade to furnish prisoners with lanterns night before execution—

I hereby certify that the above is a true copy of the evidence or statement made this day before the Sheriff, Mayor & Mr. Ryckman, as taken down at the time

[Signed] J. Curtis
Mayor's Clerk

July 28, 51

[Report of Committee on Dies at Custom House]
Executive Chamber
July 27th 1851

Mr. Moffatt
Col. J. B. Hays
Mr. Woodworth

Gentlemen: You are requested to call at the Appraiser's Office and make an examination of certain Dies &c. and make such arrangements with the Officers of the Customs as may be necessary to detect the same; you will discharge this duty and report to the Executive.

By order of the Executive
[Signed] Stephen Parnass
President of Ex of Com

The Committee appointed as above has leave to report that they have examined the Dies in question and find that the same are not intended for the purpose of counterfeiting the coin of the United States—
They herewith append impressions taken from two of said Dies—

All of which is respectfully submitted
[Signed] James E. Hays
Frederick A. Woodworth
San Francisco 28th—July 1851

* See Report of H. E. Hays, p. 274.
* See also the impressions of the dies are attached to this report.

[July 28, 1851]

[*Letter to the Committee of Vigilance, Nevada City*⁶]

San Francisco, July 28, 1851.

To the Committee of Vigilance, Nevada City:

Gentlemen:—In the name of the executive committee of the Committee of Vigilance of San Francisco, and at the request of your friends, I enclose you a copy of our constitution. So far we have acted under it with success in punishing crime and bringing those in authority to a sense of their duty. Our great aim, gentlemen, is to remove corruption from high places, to advance the safety and interest of our adopted state, to establish justice and virtue, without which our fall and ruin would be certain. To secure in the future the great objects we have in view it would be well to look into the character and principles of those whom we would elevate to office, to drag out into light those who may be in office and guilty of corruption, who by their acts have produced so much evil. It is an old and popular doctrine, that it may be necessary to sacrifice the government to the people, but never the people to the government. That your course may be marked with prudence and justice, may God grant. Do not permit vindictiveness to enter into your deliberations. Be calm and determined; swerve not to the right nor to the left, but go onward in your pursuit of right. Be of one mind, and carry your point. The might, majesty, and power of the people can overcome all impending evils; like the thunders of heaven it will shake to naught all corruptive influences, and drive its authors into oblivion. Let the motto of our fathers be ours to sustain and perpetuate—Virtue, Liberty. Let us show ourselves worthy of our origin, determined to sustain and support the blessed privileges bequeathed by them to us. The moment we render up one tittle of the sacred constitution under which we were born, and which cost so much to obtain, and permit a small and corrupt minority to prescribe, we lose our caste, and our boasted institution will become the laughing-stock of the world. I have much confidence in the virtue and integrity of our brothers of the interior, that they will do what is right, and that in time.

⁶ This letter, missing from the files of the Committee, is reprinted from Bancroft's *Popular Tribunals*, I, 460.

San Francisco Committee of Vigilance of 1851 373
 [July 25, 1851]
 [Letter to the Committee of Vigilance, Nevada City]
 San Francisco, July 25, 1851.

To the Committee of Vigilance, Nevada City:

Gentlemen:—In the name of the executive committee of the Committee of Vigilance of San Francisco, and at the request of your friends, I enclose you a copy of our constitution. So far we have acted under it with success in punishing crime and bringing those in authority to a sense of their duty. Our great aim, gentlemen, is to remove corruption from high places, to advance the safety and interest of our adopted state, to establish justice and virtue, without which our fall and ruin would be certain. To secure in the future the great objects we have in view it would be well to look into the character and principles of those whom we would elevate to office, to drag out into light those who may be in office and guilty of corruption, who by their acts have produced so much evil. It is an old and popular doctrine, that it may be necessary to sacrifice the government to the people, but never the people to the government. That your course may be marked with prudence and justice, may God grant. Do not permit vindictiveness to enter into your deliberations. Be calm and determined; swear not to the right nor to the left, but go onward in your pursuit of right. Be of one mind, and carry your point. The might, majesty, and power of the people can overcome all impending evils; like the thunder of heaven it will shake to naught all corrupting influences, and drive its authors into oblivion. Let the motto of our fathers be ours to sustain and perpetuate—*Justice Liberty*. Let us show ourselves worthy of our origin, determined to sustain and support the blessed privileges bequeathed by them to us. The moment we render up one tittle of the sacred constitution under which we were born, and which cost so much to obtain, and permit a small and corrupt minority to prescribe, we lose our caste, and our boasted institution will become the laughing-stock of the world. I have much confidence in the virtue and integrity of our brethren of the interior, that they will do what is right, and that in time

* This letter, missing from the file of the Committee, is reproduced from Bancroft's *Popular Tribunes*, p. 455.

[July 28, 1851]

The blessed influences once enjoyed by them and us at our Atlantic homes may be felt and enjoyed throughout our Pacific homes, humbly trusting that the day is not far distant when we may pass from the north to the south, from the east to the west of our western possessions without fear or danger, and behold in every man a brother. Carry with us, brethren, the holy objects we have in view, and rest assured that ere long the mountains of the Sierra Nevada and the valleys will become redolent with charms which will so much endear them to us that we will not separate or leave them until we shall be called to mingle our clay with that of our loved and adopted country.

With deep consideration of respect and esteem, gentlemen, in the name of my colleagues I subscribe myself,

Your obedient servant,

S. J. Payran,

President Executive Committee

Vigilance Committee with Bullett, Patrick & Dow \$20.25

Sales of sundries for Account of whom it may concern by Order of the Committee of Vigilance of the City of San Francisco⁷

1 Doz	Corduroy Pants per pair	75c	\$9. —
2 prs	Casimir Do	at 2.50	5. —
2 prs	Boots	at 2.37½	4.75
½ Doz	Merino shirts	per pr 42½	2.55
2	Mexican Hats	at 25	.50
7 glazed	Caps	at 15	1.05
			<hr/>
			\$22.85

⁷ The following notice appeared in the *Alta California* of June 28:

"Notice.—The following unclaimed property having come in possession of the Vigilance Committee, through arrests and otherwise, all whom it may concern are hereby notified to call at the Committee Room to identify their property, pay charges and take away the same, or it will be sold in ten days time for the benefit of whom it may concern.

1 doz. white merino shirts, 1 doz. scarlet lamb's-wool shirts, 1 doz. grey lamb's-wool drawers, 13 pairs corduroy pants, 4 pairs fancy cassimere pants, 2 pairs fancy cotton pants, 7 glazed caps—No. 3, 2 brown wool hats, 2 pairs fine boots, 1 small carpet bag, movements of French watch. San Francisco, June 28, 1851."

[July 22, 1921]

The blessed influence once enjoyed by them and as at our Al-
lantic homes may be felt and enjoyed throughout our Pacific
homes, humbly trusting that the day is not far distant when
we may pass from the north to the south from the east to the
west of our western possessions without fear or danger and be-
hold in every man a brother. Carry with us brethren the holy
objects we have in view, and rest assured that ere long the moun-
tains of the Sierra Nevada and the valleys will become radiant
with charms which will so much exceed them to us that we will
not separate or leave them until we shall be able to mingle our
clay with that of our loved and adopted country.

With deep consideration of respect and sincere friendship, in
the name of my colleagues I subscribe myself,
Your obedient servant,

S. J. Peckham

President Executive Committee

Vigilance Committee with Bulletin, Printed & Sold by
Sales of materials for Account of which it may be seen by
Order of the Committee of Vigilance of the City of San Fran-
cisco

1 Doz Corduroy Pants per pair	75c	\$6.00
2 prs Casimir Do	at 2.50	5.00
2 prs Boots	at 2.25	4.50
1/2 Doz Merino shirts	per pr 4.00	2.00
2 Mexican Hats	at 25	50
7 glazed Caps	at 15	1.05

\$12.55

The following notice appeared in the San Francisco of June 22:
"Notice—The following real-estate property having come in pos-
session of the Vigilance Committee, through seizure and delivery, all
where it may concern are hereby notified to call at the Committee Room
to identify their property, pay charges and take away the same or it will
be sold in two days from the date of notice of seizure. If any owner
of the property wishes to have it returned, he must call at the Com-
mittee Room within 10 days after seizure, and pay the charges. If he
does not call within 10 days, the property will be sold. If he calls
within 10 days, he must pay the charges. If he does not pay the charges,
the property will be sold. If he calls within 10 days, he must pay the
charges. If he does not pay the charges, the property will be sold."
San Francisco, June 22, 1921.

SAN FRANCISCO COMMITTEE OF VIGILANCE OF 1851 375

[July 28, 1851]

Off 5%—	Commission	\$ 1.15	
" 2%	State Tax	.45	
"	Advertising	1.—	2.60
			<hr/>
			\$20.25

San Francisco July 28th 1851

Bullett, Patrick & Dow

By Albert Moller

Off for 3 pr Corduroy Pants at 2.00	\$6 —
	<hr/>
	\$14.25

TUESDAY, JULY 29, 1851

MINUTES

Minutes of General Meeting July 29. 1851

Mr James B Huie in the chair

Minutes of previous meeting read & approved

Further evidence in the case of George Adams was read by the President of Executive Committee with a request that further time be allowed the committee to collect evidence—report accepted—Committee allowed until Tuesday next August 5.—to collect testimony—

On motion

Resolved That evidence in case of Hayes be read on Saturday night

On motion Adjourned

[Signed] Isaac Bluxome Jr
Secretary

MISCELLANEOUS PAPERS

[*Report in the Case of Hays*]

Executive Committee

July 29th 1851

In case of Hayes now in Custody Your Committee report

OF 5¢—Commission	\$ 1.15
" 25¢ State Tax	.45
" Advertising	1.—
	<hr/>
	\$20.25

San Francisco July 28th 1851
 Bennett, Patrick & Dow
 By Albert Moller
 Of for 3 pr Conduity Pasts at 2.00
 \$4—
 \$14.25

TUESDAY, JULY 29, 1851

MINUTES

Minutes of General Meeting July 29, 1851
 Mr James B Hays in the chair
 Minutes of previous meeting read & approved
 Further evidence in the case of George Adams was read by
 the President of Executive Committee with a request that further
 time be allowed the committee to collect evidence—report ac-
 cepted—Committee allowed until Tuesday next August 5—
 to collect testimony—
 On motion
 Resolved That evidence in case of Hays be read on Satur-
 day night
 On motion Adjourned

[Signed] James Buchanan Jr
 Secretary

MISCELLANEOUS PAPERS

[Report in the Case of Hays]
 Executive Committee
 July 29th 1851
 In case of Hays now in custody Your Committee report

[July 29, 1851]

That the said Hayes stands implicated with Adams Burns, Ainsworth & Switzer, both by admission on his part, as well as from the Evidence

It has been alleged that the said Hayes was intended as State's Evidence against his associates We however cannot view his case in that light, when we take into consideration the fact, that when the State adopts that mode of action it is when there is no witnesses to prove the guilt of the accused, they then select the most guiltless to establish the necessary facts

In the cases before us, there has been abundance of Witnesses to prove the guilt of all without the use of any one of the Prisoners, to wit *Baker*—the cases tried in Court shows the impolicy of our adopting any such precedent in our body; we would recommend that Hayes be tried by the Authorities

[Signed] S Payran

Presdt of Ex Com^e

[Annotated:] report accepted July 29, 1851

[Report in the Case of Adams]

Executive Committee

July 28th 1851

In the Case of Adams now in custody of Committee

Your Executive Committee have held the case of Adams under advisement since the last General Meeting, as well as taken additional testimony touching the case

After the most elaborate examination of the Testimony and mature deliberation, your committee cannot see anything to alter their previous views on the subject

The only charge made out against Adams is that of the Stevenson's Burglary, in which Burglary Watkins was the principal

The Accomplices of Adams do not implicate him in any other transactions, so that to this time he remains without further committal,

Other testimony (it is reported) will be adduced to the Executive showing further guilt—

[July 22, 1851]

That the said Hayes stands implicated with Adams, from the evidence
Ainsworth & Switzer, both by admission on his part, as well as

It has been alleged that the said Hayes was intended as
State's Evidence against his associates. We however cannot
view his case in that light, when we take into consideration the
fact, that when the State adopts that mode of action it is when
there is no witnesses to prove the guilt of the accused, they then
select the most faithful to establish the necessary facts.

In the cases before us, there has been abundance of wit-
nesses to prove the guilt of all without the use of any one of
the Prisoners, to wit Baker—the cases tried in Court show the
impolicy of our adopting any such precedent in our body; we
would recommend that Hayes be tried by the Authorities.

[Signed] S. Hayes

President of Ex. Com.

[Annotated:] report accepted July 22, 1851

[Report in the Case of Adams]

Executive Committee

July 22nd 1851

In the Case of Adams now in custody of Committee
Your Executive Committee have held the case of Adams under
advisement since the last General Meeting, as well as taken addi-
tional testimony touching the case.

After the most elaborate examination of the testimony, and
mature deliberation, your committee cannot see anything to alter
their previous view on the subject.

The only charge made out against Adams is that of the
Stevenson's Burglary, in which Burgess Watkins was the
principal.

The Accomplices of Adams do not implicate him in any other
transactions, so that at this time he remains without further
commitment.

Other testimony (it is reported) will be referred to the Ex-
ecutive showing further guilt—

[July 29, 1851]

Your Committee respectfully suggest the propriety of continuing the case of Adams until the next General Meeting, when the case may present a different aspect for final action

[Signed] S Payran

Presdt of Ex Com

[Annotated:] Report Accepted July 29, 1851

Report of the Finance Committee July 29th 1851

To the Executive Committee

The Committee on Finance have to report that by the enclosed account of the Treasurer¹ the "Committee of Vigilance" is indebted to that officer in the sum of \$513.05 and that there are bills now approved & unpaid to the

amt of	607.20
--------	--------

In all an indebtedness of	\$1120.25
---------------------------	-----------

Eleven Hundred & Twenty $25\frac{1}{100}$ Dollars.

There is due the Com^{ee} as follows from 71 Members Intiation fees in the month of June \$355.
do 9 members in July " 45.
Assessments for July 350 members " 1680.

	\$2080.
--	---------

The Committee on Finance would earnestly recommend that prompt measures be adopted to ensure the collection of the sums as above, and that more economy be adopted by the Water Police,² the expense of which has far exceeded their estimates in their last reports to your body

All of which is respectfully submitted

San Francisco July 29 1851

[Signed] J. C. L. Wadsworth Chrm

" Geo: R. Ward

" Delessert

¹ See p. 766.² The bills for boat hire were very large. See vouchers Nos. 4, 8, 30, 33, 74, 76, 77, 81, 86, 88, pp. 771-793, and No. 6, p. 770.

Your Committee respectfully suggest the propriety of continuing the case of Adams until the next General Meeting, when the case may present a different aspect for final action.

[Signed] S. P. Ryan
 President of the Com.

[Annotated:] Report Accepted July 29, 1851

Report of the Finance Committee July 29th 1851

To the Executive Committee

The Committee on Finance have to report that by the closed account of the Treasurer, the "Committee of 7" is indebted to that officer in the sum of \$212.00 and that there are bills now approved & unpaid to the amt of \$27.50

In all an indebtedness of Eleven Hundred & Twenty⁵⁰/₁₀₀ Dollars
 There is due the Com^y as follows from 71 Members Indebted fees in the month of June do 8 members in July Assessments for July 350 members
 \$1120.00
 \$8.00
 "45
 "1650
 \$2050

The Committee on Finance would earnestly recommend that prompt measures be adopted to ensure the collection of the sums as above and that more economy be adopted by the Water Police the expense of which has far exceeded their estimates in their last reports to your body.

All of which is respectfully submitted

San Francisco July 29 1851

[Signed] J. C. L. Wadsworth Clerk
 Geo. H. Ward
 Deleat

* See p. 166
 * The bills for boat hire were not taken. See minutes Nov. 4, & 20, 22, 24, 26, 27, 28, 29, pp. 174-175 and Nov. 6, p. 176

[July 29, 1851]

[Report of D. J. Thomas, Jr. Case of James Kelly]

1 A. M July 29

Sir—Have returned from the search after Ja^s Kelly—After leaving here endeavored to ascertain his haunts. Found a man that knew him—took him along.

First went to Bob Monroes & Mrs Roberts' where K had been living (it is the same place where Oakes & self went some 2 weeks since) K was not in the house but Mrs R & 2 men who were there said he left about daylight yesterday morning—Then went to Horrigan's alias Bungaraby Jacks where we found 10 or 12 suspicious looking men but not the one we were after. Horrigan said that about noon whilst K was in the back room 2 police men came in and asked for him, H went back and told K where-upon he ran out of the back door & had not been seen since—Detailed a portion of my guard up to Pacific & Sansome to search Bob Monroes new house—they have since reported that they could not find it—After seperating the guard we proceeded out the Mission road. Ascertained that K passed out that way a little after noon. Just as we came to the house of [. . .] with whom K was formerly connected Ald Green overtook us—He said he knew K & every man who belonged to the house and that he would wake them up & see whether K was there—he did so and satisfied me that K was not then in the house, though I think he had been during the day—

I have no doubt but that he has gone to the Mission or Abbey & advise that 2 or 3 horsemen be sent to make Enquiries stopping at the old half way house to find out whether any of Tom Hays people saw him

[Signed] Daniel J Thomas Jr

Marshal 4

To J L Van Bokelin Esq

About 2 oclock a report came in that Whittaker was in town—Went & found the man—a false alarm—

[Addressed:]

J. L. Van Bokelin Esq

Chief of Police

[July 29, 1881]

[Report of D. J. Thomson, Jr. Case of James Kelly]

1 A. M. July 29

Sir—Have returned from the search after Mr. Kelly—After leaving here endeavored to ascertain his haunts. Found a man that knew him—took him along.

First went to Bob Thomson & Mrs. Roberts' where K had been living (it is the same place where Oakes & self went some 2 weeks since). H was not in the house but Alex H & 2 men who were there said he left about daylight yesterday morning—Then went to Horrigan's alias Photography Jackson where we found 10 or 12 suspicious looking men but not the one we were after. Horrigan said that about noon whilst K was in the back room 2 police men came in and asked for him. He went back and told H where—upon he ran out of the back door & had not been seen since—Detailed a portion of my guard up to Twiddle & Sansone to search Bob Thomson's new house—they have since reported that they could not find it—After repeating the guard we proceeded out the Mission road. Ascertained that K passed out that way a little after noon. Just as we came to the house of [] with whom K was formerly connected Ald. Green overtook us—He said he knew K & every man who belonged to the house and that he would wake them up & see whether K was there—he did so and satisfied me that K was not then in the house, though I think he had been during the day—

I have no doubt but that he has gone to the Mission or Abbey & advise that 2 or 3 horsemen be sent to make Pacifices searching at the old half way house to find out whether any of Tom Hays people saw him.

[Signed] Daniel J. Thomson Jr.

March 4

To J. L. Van Belslin Esq

About 2 o'clock a report came in that Whitaker was in town—Went & found the man—a false alarm—

[Addressed]

J. L. Van Belslin Esq

Chief of Police

[July 29, 1851]

Statement of John J. Arentrue: July 29, 1851

John J. Arentrue:—*Examined*—Says that all the charges brought against him are false—Never had any association or connection with any thief but one.—Has frequently labored for the purpose of detecting crime and arresting thieves.—Has always lived in San Francisco during his stay in California and has always pursued an honest upright course.—Has been anxious to appear before the Committee in order to undergo an examination, but has been unsuccessful in doing so until the present moment.—Disavows all knowledge of a certain plot to rob and murder an individual at some distance from San Francisco.—Would be glad to be confronted with the person making these charges against him.—Lodged in Webb Street last Winter.—Never introduced anyone to the owner of the property there—

Never proposed to Mr Richardson the owner of the property to go to the mines.—

the house I lived in was the same house in which Christy attempted suicide.—

Did at one time assist in fitting out a party for the mines, composed of men who were with him in Mexico.—

I intended going this afternoon to Stockton & Sonora for the purpose of meeting at the latter place Mr Philip Rietzel, who I am informed has made a valuable discovery of gold, and I intended going into the speculation with him.—I received notice of the fact of this discovery through Mr Larantret a boarder in Mr Eddy's Hotel on Pacific St.—Reitzel is a man much addicted to liquor and is in the habit of getting drunk every night—Knowing my influence over said Reitzel I concluded to go up there and connect myself with him.—

Did once live in the house with Mrs Hogan, in company with a woman, but left the house as soon as I found out its character

Once gave counsel and advice to Bill Watkins.—Have known Watkins in New Orleans as a thief & has known him here as the same.—Visited him twice while in prison.—Went there for the purpose of taking him a legal adviser.—Never gave Money to Watkins after his escape from prison, but gave him a pair of boots.—

Advised him to leave the city and go to the mines after his

Statement of John J. Arenberg: July 25, 1851

John J. Arenberg:—Examined—Says that all the charges brought against him are false—Never had any association or connection with any thief but one—Has frequently labored for the purpose of detecting crime and arresting thieves—Has always lived in San Francisco during his stay in California and has always pursued an honest upright course—Has been anxious to appear before the Committee in order to undergo an examination—but has been unsuccessful in doing so until the present moment—Disavows all knowledge of a certain plot to rob and murder an individual at some distance from San Francisco—Would be glad to be confronted with the person making these charges against him—Lodged in Webb Street last Winter—Never introduced anyone to the owner of the property there—

Never proposed to Mr. Richardson the owner of the property to go to the mines—

The house I lived in was the same house in which Christy attempted suicide—

Did at one time assist in fitting out a party for the mines composed of men who were with him in Mexico—

I intended going this afternoon to Stockton & Sonora for the purpose of meeting at the latter place Mr. Philip Hittell who I am informed has made a valuable discovery of gold and I intended going into the speculation with him—I received notice of the fact of this discovery through Mr. Larnester a partner in Mr. Eddy's Hotel on Pacific St.—Hittell is a man much addicted to liquor and is in the habit of getting drunk every night—Knowing my influence over said Hittell I concluded to go up there and connect myself with him—

Did once live in the house with Mrs. Hogan in company with a woman, but left the house as soon as I found out its character—

Once gave counsel and advice to Bill Watkins—Have known Watkins in New Orleans as a thief & has known him here as the same—Visited him twice while in prison—Want them for the purpose of taking him a legal advice—Never gave money to Watkins after his escape from prison, but gave him a pair of boots—

Advised him to leave the city and go to the mines after his

[July 29, 1851]

escape from prison—Told him to stay away a year or two and the affair would be forgotten. Told Mr Eadie of the Police that I had seen Watkins, & said he lived over the hill—the telegraph hill.—Eadie said he knew where he was and would get him after a while—This was a day or two after I had seen Watkins—I was then boarding at Mr Eadies a brother of the Police Officer.—Slept four nights only at Mrs Hogans—did not eat there.—

Does not recollect ever having said to any one that I gave money to Watkins.—

Capt Lambert desired me to obtain counsel for Watkins while in prison.—

Never had but one interview with Watkins after his escape.—I then met him at the corner of Montgomery St & Pacific St.—it was in the night.—I there took off my boots gave them to Watkins and walked home barefoot.—

Was not in his company at the time of his arrest.—Heard he was in the company of a man I knew but did not hear the mans name.—

The second time I saw Watkins in prison I went there for the purpose of seeing Capt. Gallagher, but at the same time took up some clothes for Watkins given to me by Mr David Earle, the same man as was indicted for Bigamy.—

When I took counsel to the prisoner, the first time I saw him in prison, it was before his conviction.—I only know of Watkins breaking Goal once—The man who stabbed me on Merchant St was named Billy—Mr Green who keeps a livery stable knows who he is—The reason why he was not prosecuted, That I did not want my family to know of it, I know Sam Whittaker, but did not know, he was a Thief, untill Some time ago. and then overheard the Whisperings of a night, in Mrs Hogan—My first acquaintance with Mr Richardson was in Sept. or Oct. 1850

I think Richardson a low, mean, vicious and vindictive character.

The reason why Richardson did not join me was that I did not want his money. I had \$1000 at Orrin Bailey's at the time

These men I furnish to go to Trinity Mines I only advanced them clothing only—

I knew Watkins on the Mississippi River—I was robbed on

[July 20, 1881]

escape from prison—Told him to stay away a year or two and the affair would be forgotten. Told Mr. Eadie of the Police that I had seen Watkins, & said he lived over the hill—the telegraph hill—Eadie said he knew where he was and would get him after a while—This was a day or two after I had seen Watkins—I was then boarding at Mr. Eadie's a brother of the Police Officer—

Slept four nights only at Mrs. Hogan's—did not eat there—

Does not recollect ever having said to any one that I gave money to Watkins—

Capt. Lambert desired me to obtain counsel for Watkins while in prison—

Never had but one interview with Watkins after his escape—

I then met him at the corner of Montgomery St & Pacific St—

it was in the night—I there took off my boots gave them to Watkins and walked home barefoot—

Was not in his company at the time of his arrest—Heard he was in the company of a man I knew but did not hear the man's name—

The second time I saw Watkins in prison I went there for the purpose of seeing Capt. Gallagher, but at the same time took up some clothes for Watkins given to me by Mr. David Eadie the same man as was indicated for his name—

When I took counsel to the prisoner, the first time I saw him in prison, it was before his conviction—I only knew of Watkins breaking loose once—The man who stabbed me on Alameda St was named Billy—Mr. Green who kept a heavy stable house who he is—The reason why he was not prosecuted, that I did not want my family to know of it, I know Sam Whitehead, but did not know he was a thief, until some time ago, and then overheard the Whitehead of a night, in Mr. Hogan's—My first acquaintance with Mr. Richardson was in Sept. or Oct. 1879

I think Richardson a low, mean, vicious and vindictive character—

The reason why Richardson did not join me was that I did not want his money, I had \$1000 at O'Brien's at the time

These men I furnished to go to Trinity Street I only advanced them clothing only—

I knew Watkins on the Alameda River—I was robbed on

[July 29, 1851]

the river of 4000\$—I said that if any person would give me 300—or 500\$ I would give the balance stolen—Watkins returned the money to me—The first time I saw Watkins was the night after he escaped from Prison—I would not have known him had he not been in Prison with David Earle—

Statement of John D Kloppenburg alias Dutchey Oldenburg

July 29. 1851

John D. Kloppenburg Alias Dutchey Oldenburg Germany
I was born 15th April 1819. about thirty two years of age, I left the Port of Bremen in September 1843 for New Orleans. I arrived at N Orleans in November 1843, I remained at N. O. three days, and went to Washita L^a—there I remained until April 1849. I then started for California via the Isthmus, I took passage on the Steamer *Oregon* as Fireman, and arrived in San Francisco in July—made another trip to Panama & back I returned to S. F. in September I then remained ashore at San F. for six weeks I done nothing I boarded at St Charles and got in debt \$175—then Jack Hundley gave me an Ounce a day to shake dice—I have gambled from that time to the present time except six months, I went to Santa Cruz to get out square timber for Mr Williams I worked at that about four months

I worked three or four weeks for Donnahue at assisting in his Machine shop, I have gambled in San Francisco, After leaving Machine shop I went to Sacramento & gambled at the Orleans House dealing Monte, I have gambled at Marysville Rose's Bar in company with a man by the name of Lee I knew T Belcher Kay by sight, I knew him in San Francisco, I never saw him engaged in any business, I heard that he was engaged in dealing Faro at the Parker House I have seen him buck against Monte—While I boarded at Smith in Kearney Street a man told me that a man there was Jemmy from Town, I know nothing more of him, Smith kept a House next to the Warren House above Jackson Street, I did not know Betts, I do not know Sam Whittaker I knew Mr^s Hogan, I do not know Jack Arentrue nor David Earl, I knew Jack Smith, there boarded at Smith an Englishman by the name of Ned Carpenter alias English Ned, (*Adams brought in and confronted with Witness*

[July 20, 1851]

the river of 4000— I said that if any person would give me 300—or 500 I would give the balance above—Watkins returned the money to me—The first time I saw Watkins was the night after he escaped from Prison—I would not have known him had he not been in Prison with David East—

Statement of John D. Klappenburg alias Dutch Oldenburg

July 30, 1851

John D. Klappenburg alias Dutch Oldenburg Germany I was born 15th April 1818 about thirty two years of age I left the Port of Bremen in September 1842 for New Orleans I arrived at N Orleans in November 1842 I remained at N O three days and went to Washita L.—there I remained until April 1843. I then started for California via the Isthmus I took passage on the Steamer Oregon as Fireman, and arrived in San Francisco in July—made another trip to Panama & back I returned to S. F. in September I then remained about at San F. for six weeks I done nothing I boarded at St Charles and got to debt \$175—then Jack Hurdley gave me an ounce a day to shake dice—I have gambled from that time to the present time except six months I went to Santa Cruz to get our square timber for Mr. Williams I worked at that about four months I worked three or four weeks for Hammond at assisting in his Machine shop I have gambled in San Francisco After leaving Machine shop I went to Sacramento & gambled at the Orleans House dealing Monte I have gambled at Marysville. Boon's Bar in company with a man by the name of Joe I know T Fletcher Kay by sight I know him in San Francisco I never saw him engaged in any business I heard that he was engaged in dealing Faro at the Parker House I have seen him lose against Monte—While I boarded at Smith in Kearney Street a man told me that a man there was named John T. I know nothing more of him Smith kept a House next to the Western House above Jackson Street I did not know him I do not know Sam Whittaker I know W. Homan I do not know Jack Agan true nor David East I know Jack Smith there boarded at Smith an Englishman by the name of Ned Carpenter alias English Ned. Adams bought in and conspired with Homan

[July 29, 1851]

says he does not know him) Belcher Kay came with Paddy St Clair to see Ned Carpenter, had no conversation other than giving the time of day I used to go to Mr^s Hogan's House to see Hetherington and Dan Davis, saw no persons there that I knew—I live in Powell Street between Broadway & Valejo Sts—there are two small Adobe houses—I live in the dark Adobe—

[Signed] John D Kloppenburg

*Dudley Hoag & Houston. Statement in relation to a Hat & Boots found at low Water at the foot of Mission Street
this 29th July A D 1851*

J. M. Dudley, H Hoag, & E Houston, brought to Executive room, a fine Silk Hat, and a pair of French Boots nearly new, which were found at low Water at the foot of Mission Street, the circumstances attending the case were these, about 10 or 11 OClock A. M. of this 29 July 1851 an open Barouche or Carriage with Bay or Dark Horses, containing two Females, and a Driver drove near the water, (an out of the way place for a Carriage) Mr Dudley observed a man throw something into the water which made a splash, he also saw the man throw a Hat into the water, while the man or Driver done this one of the Women held the reins, as near as he could judge, and drove away immediately, the Witnesses, believe that Mr Samuel Eddy could identify the Carriage and the Woman, not thinking of anything improper they did not make any inquiry—their suspicions became excited from the fact that Mr Houston found the Hat & Boots at low water, the Hat had two Brickbats in it, and the Boots had one Brick in each, sufficient to sink them, the witnesses are confident that the Hat & Boots were thrown into the water by these Persons, when the last article was thrown into the water, heard one of the Females ask *did it sink*—

Attest

S Payran

M Eddy. as I was going to Dinner to day about 11 & 30 min A M I stopped at Mess Hoag & Whiston's and while looking out at the door I saw a Barouche & pair of Horses containing two Females, and a Driver standing with their heads towards me,

[July 22, 1851]

says he does not know him. Belcher says some with Faddy St. Clair to see Ned Carpenter, had no conversation other than giving the time of day. I used to go to Mr. Logan's home to see Hetherington and Dan Davis, saw no person there that I know—I live in Powell Street between Broadway & Van Ness—there are two small Adobe houses—I live in the dark Adobe—
[Signed] John D. Stephens

Book found at low Water at the foot of Mission Street
this 22nd July 4. A. 1851

J. M. Doherty, H. Hoag, & E. Houston, brought to Hetherington, a fine Silk Hat and a pair of French Boots nearly new, which were found at low Water at the foot of Mission Street, the circumstances attending the case were these: about 10 or 11 o'clock A. M. of the 22nd July 1851, an open Brougham or Carriage with Ray or Dark Horses, containing two Persons and a Driver drove near the water, (an out of the way place for a Carriage). Mr. Doherty observed a man throw something into the water which made a splash, he also saw the man throw a Hat into the water, while the man or Driver drove the one of the Women held the reins, as near as he could judge, and drove away immediately. The Witnesses, believe that Mr. Samuel Faddy could identify the Carriage and the Woman, not thinking of anything improper they did not make any inquiry—their suspicion became excited from the fact that Mr. Houston found the Hat & Boots at low water, the Hat had two Buttons in it and the Boots had one Button in each, sufficient to sink them, the witnesses are confident that the Hat & Boots were thrown into the water by those Persons, when the hat article was thrown into the water, heard one of the Persons say this is what—
A. 1851

E. Peyton

Mr. Editor, as I was going to dinner to day about 11 & 30 min A. M. I stopped at Mrs. Hoag & Wither's and while looking out at the door I saw a Brougham & pair of Horses containing two Persons, and a Driver standing with their heads towards me.

[July 29, 1851]

the Carriage was near the edge of the water, this was at the foot of Mission Street, if I were to see the Carriage & Horses I think I should know it, I also think I would know one of the Women were I to see her;—

Ed L. Bill corroborates Mr Eddy's statement, and further states that he was with Mr Eddy at the time, and describes one of the Females as having a white Feather in a light Bonnett, I think I should know her again—from some observation made by one of the Women, I was led to believe that they were going home,

Mr Bill can be found at Doct Mines

[Endorsed:] Order of inquiry of Livery Stables issued—

Taylor's Statement. July 29th 1851

Mr Taylor, I own an open Carriage Bay Horses, my Carriage stands opposite the California Exchange, my Carriage stood there to day and has not been off the stand today except to water the Horses, and home, I know no Carriage except Green's that had a job today, and the Man told me that he had a job to the Grave Yard; I did not leave my Carriage for more than ten minutes to day, my man lives on Dupont Street between California & Bush Street

Grey & Bay	Traverse & Crow	Kearney St
Bays—	Green & Bowman—	
Grays—	Mr Jones—	
Bays—	Orrick Johnson—	
Grey Horse	Clark & Simpson—	have open Carriages—

Attest

S Payran

Mary St Clair against Hat & Boots found at foot of Mission St

Mary A. St Clair *sw[orn]* I am a native of the U. S. I have resided for some years in the City of New York, I arrived in San Francisco on or about the fifth of September 1850. I have resided in the City of San Francisco ever since with the exception of about three or four weeks—part of the two or three weeks I was Sacramento, Stockton Sonoro—and returned, I reside on Merchant Street opposite the Union Hotel,—

[July 29, 1851]

the Carriage was near the edge of the water, this was at the foot of Mission Street, if I were to see the Carriage & Horse I think I should know it. I also think I would know one of the Women were I to see her;—

Ed J. Bill corroborates Mr. Eddy's statement, and further states that he was with Mr. Eddy at the time, and describes one of the Females as having a white Feather in a light Ribbon. I think I should know her again—from some observation made by one of the Women, I was led to believe that they were going home.

Mr. Bill can be found at Doct. Miles

[Endorsed:] Order of inquiry of Livery Stables issued—

Taylor's Statement July 29th 1851

Mr. Taylor, I own an open Carriage, Bay Horses, my Carriage stands opposite the California Exchange, my Carriage stood there to day and has not been off the stand today except to water the Horses, and home, I know no Carriage except Brown's that had a job today, and the Man told me that he had a job to the Grave Yard; I did not leave my Carriage for more than ten minutes to day, my man lives on Dupont Street between Cal-

ifornia & Bush Street

Grey & Bay Travert & Crow Kearney St

Bay—Green & Bowman—

Gray—Mr. Jones—

Bay—Orrick Johnson—

Grey Horse Clark & Simpson— have open Carriages—

Answer

3 pages

Mary St Clair against Hat & Boots found at foot of Mission St
Mary A. St Clair answers: I am a native of the U. S. I have resided for some years in the City of New York. I arrived in San Francisco on or about the 11th of September 1850. I have resided in the City of San Francisco ever since with the exception of about three or four weeks—part of the last or three weeks I was Sacramento Station, Sonoma—and returned. I reside on Merchant Street opposite the Union Hotel—

[July 29, 1851]

I rode out with Jane Hurley yesterday between 10 & 12. O'clock, Jane Hurley sent and hired the Carriage, I do not know from whom she hired it, we drove down to the foot of Mission Street on the Bay and there directed the Driver to throw a pair of Boots and a Hat into the water, Jane Hurley did not like to see the things about, Jane Hurley sent to some Person to take the things away, so she told me, the Hat & Boots belonged to Mr Pollock³ who was shot in my House

Adams confronted with witness I do not know Bill Smith, Charles Thompson, Bill Gruder I know Jemmy from Town do not know little Charley—I do not know Mary St Clair, I never was at her House either alone or in company with these Persons
[Signed] M A St Clair

WEDNESDAY, JULY 30, 1851

MISCELLANEOUS PAPERS

Testimony of Capt Lambert against John J Arrentrue—

Capt W^m Lambert— I am Keeper of the County Gaol—I know John J Arrentrue—A few days after I received Watkins (the burglar) he came to Prison & desired to see him—I went with him to the cell—Arrentrue told Watkins he was he was sorry to see him in Prison again and would do what he could for him—he asked Watkins if he wanted anything—Mr A then asked me if I would allow him to bring anything to Watkins—I told him I would allow him to bring clothing—he asked me if I would allow him to bring eatables—I told him I would not—I told him (A) at the same time I would allow the Clerk to provide any provisions for him if he (Watkins) would pay for them—(This I allow the Clerk as a perquisite) (We give the prisoners good hearty food and a full allowance) After this and before he left the Prison he came to me and desired that I would treat him well—he then left and a few days after I met Arrentrue on the Plaza—and he asked me if I would allow him to go to the Prison at any time? I told him any time when we were not engaged he might come in—I then left him—and about

³ See note 8, p. 219.

[July 28, 1831]

I rode out with Jane Hoxby yesterday between 10 & 12 O'clock. Jane Hoxby sent and hired the Carriage. I do not know from whom she hired it, we drove down to the foot of Mission Street on the Bay and there directed the Driver to throw a pair of Boots and a Hat into the water. Jane Hoxby did not like to see the things about. Jane Hoxby went to some Person to take the things away, so she told me the Hat & Boots belonged to Mr. Pollock, who was shot in my House.

Adams conversed with William. I do not know Bill Smith. Charles Thompson, Bill O'Grady, I know nothing from Town do not know little Charles—I do not know Miss St. Clair. I never was at her House either alone or in company with these Persons (Signed) M A St Clair

WEDNESDAY, JULY 28, 1831

MISCELLANEOUS PAPERS

Testimony of Capt Lambert against John A. Armitage—
Capt Wm Lambert—I am Master of the County Jail—I know John A. Armitage—A few days after I received William (the partner) he came to Prison & desired to see him—I went with him to the cell—Armitage told William he was he was sorry to see him in Prison again and would do what he could for him—he asked William if he wanted anything—Mr A then asked me if I would allow him to bring anything to William—I told him I would allow him to bring clothing—he asked me if I would allow him to bring eatables—I told him I would not—I told him (A) at the same time I would allow the Clerk to provide any provisions for him if he (William) would pay for them—(This I allow the Clerk as a permission) I gave the prisoners good hearty food and a full allowance. After this and before he left the Prison he came to me and desired that I would treat him well—he then left and a few days after I met Armitage on the Prison—and he asked me if I would allow him to go to the Prison at any time? I told him any time when we were not engaged he might come in—I then left him—and about

[July 30, 1851]

2 or 3 days afterward he came to Prison and wanted to come in—I told him I was too busy to allow him to come in at that time—as I had no one to wait upon him—he went off—After Watkins had his trial and was sentenced Arentue came to Prison with a large bundle of clothes—I put the Clothes in the closet with Prisoners clothes with a label and went to the cell with him—I then called called for Dr Weeks—the clerk) and told him to allow Arentue to see Watkins for 2 or 3 minutes and left him there for the time allowed—Since this I have seen Arentue walking about the Prison and was strolling about—I called the Clerk and pointed out the man to him and told him not to allow the man come in at any time—Previous to this Watkins went to Court to have his trial—on his return in searching him I found money I think from 30 to 50\$—Watkins told me he got it from Jack Arentue—*x ex* [*Cross Examination*] I never requested Arentue to get counsel for Watkins—I dont think Arentue brought Council to Watkins—I think I remember that Arentue told me one day in the street that he had engaged Mr Barton to attend to Watkins case—I never saw Arentue and David Earle together until after Earle was released from the Station house

San Francisco July 30 1851

Police Order

Executive Chamber

July 30th 1851

Capt Ryder

You are hereby requested to take with you a sufficient guard well armed & equipped, and arrest one J. Arrentue, and bring him into the Custody of the Committee of Vigilance forthwith

By Order of the

Executive

*W^m. R. Richardson against John J Arentue*Cross Examined by Prisoner¹

How much do I owe you, Witness answered I do not know that you owe me anything, you may owe me a few dollars—

¹ The pages containing Richardson's statement are missing.

[July 30, 1851]

2 or 3 days afterward he came to Prison and wanted to come in—
I told him I was too busy to allow him to come in at that time—
as I had no one to wait upon him—he went off—After Watkins
had his trial and was sentenced Aronson came to Prison with
a large bundle of clothes—I put the clothes in the chest with
Prisoners clothes with a label and went to the cell with him—
I then called for Dr. Weeks—(the clerk) and told him to
allow Aronson to see Watkins for 2 or 3 minutes and tell him
there for the time allowed—Since this I have seen Aronson
walking about the Prison and was stopping about—I called the
Clerk and pointed out the man to him and told him not to allow
the man come in at any time—Previous to this Watkins went to
Court to have his trial—on his return in searching him I found
money I think from 30 to 50¢—Watkins told me he got it from
Jack Aronson—2 cc [Crown Examination] I never requested
Aronson to get counsel for Watkins—I don't think Aronson
brought Counsel to Watkins—I think I remember that Aronson
told me one day in the street that he had engaged Mr. Barlow to
attend to Watkins case—I never saw Aronson and David Hall
together again after Barlow was released from the Prison house

San Francisco July 30 1851

Police Order

Executive Chamber

July 30th 1851

Capt Ryder

You are hereby requested to take with you a sufficient guard
well armed & equipped and arrest one J. Aronson, and bring
him into the Custody of the Committee of Vigilance forthwith

By Order of the

Executive

Wm. R. Richardson against John V. Aronson

Case Examined by Prisoner

How much do I owe you, Witness answered I do not know that
you owe me anything, you may owe me a few dollars—

* The pages containing Richardson's statement are missing.

[July 30, 1851]

Mr Arentue states the name of the men whom he alledges are the men stated by Mr Richardson—Lieutenant Hare—The 2 Englishⁿ are Two Brothers, by name of Dreer—Mr Joseph Faulkner—John Bingham—Daniel Blair

Remember seeing in a news paper that a man was Killed in the mines some five or six months since—after the conversation with Mr Arentue & others—in a San Francisco paper—dont recollect which—dont think I mentioned to any person except my son any thing that was said by Mr Arentue to me about the plan to rob a man in the mines—I saw Mr Arentue I think on Long Wharf—I was talking to Hariett (Mr Arentues woman) at the time—

San Francisco July 30, 1851

[Police Order]

Executive Chamber

July 30th 1851

Capt Rider

You are hereby requested to depute a guard of One to bring the Person of Mary Sullivan into the Custody of the Committee of Vigilance for examination

By Order of the Executive

[Signed] S Payran

Presdt of Ex C

Joseph Chatelier against Patrick Mead. July 30, 1851

Joseph Chatellier— I was standing before my shop when the Prisoner Patrick Mead came into the next room w[h]ere my trunks were—I heard a noise and asked if it was my partner—I went out and saw this man breaking open a trunk—I arrived in time to prevent it—I ordered him off—I took him out of my house I feared he was armed—and I ran into my house to get a stick—I again told him to go out and he would not go—and I was about to strike him when the Police took him—he did not have time to rob me—I lived in Dupon St corner of an Alley (name unknown) This robbery ocured on Monday last—near day light—I had just fed my mules—and left the door open—

[July 30, 1851]

Mr. Armstrong states the names of the men whom he alleges are the men stated by Mr. Richardson—Lieutenant Hays—The 2 English—are Two Brothers by name of James—Mr. Joseph Paulsen—John Ringham—Daniel Blair

Remember seeing in a news paper that a man was killed in the mines some five or six months since—after the conversation with Mr. Armstrong & others—in a San Francisco paper—don't recollect which—don't think I mentioned to any person except my son any thing that was said by Mr. Armstrong to me about the plan to rob a man in the mines—I saw Mr. Armstrong I think on Long Ward—I was talking to Harriet (Mr. Armstrong's woman) at the time—

San Francisco July 30, 1851

[Father's Order]

Executive Chamber
July 30th 1851

Capit. Rider

You are hereby requested to deposit a guard of One to bring the Person of Mary Sullivan into the custody of the Committee of Vigilance for examination

By Order of the Executive

[Signed] S. Taylor

Treasr of Ex C

Joseph Chastellier against Patrick Mead July 30, 1851

Joseph Chastellier— I was standing before my shop when the Prisoner Patrick Mead came into the next room, where my friends were—I heard a noise and asked if it was my partner—I went out and saw this man breaking open a trunk—I arrived in time to prevent it—I ordered him off—I took him out of my house I feared he was armed—and I ran into my house to get a stick—I again told him to go out and he would not go—and I was about to strike him when the Police took him—he did not have time to rob me—I lived in Dupon St corner of St. Alby (name unknown) This robbery occurred on Monday last—near day light—I had just fed my horses—and left the door open—

[July 30, 1851]

my back was turned at the time My back was turned about 5 minutes

[Signed] Chatellier

San Francisco July 30. 1851

THURSDAY, JULY 31, 1851

MISCELLANEOUS PAPERS

[Order for the arrest of James Warren]

Chief of Police

You will detail a guard and proceed on Board the Brig *Ruth*, and arrest one James (or B) Warren charged with Robbery and bring him with all his Baggage Money &c—as well as passage money, if the Captain or Consignees will give it up (Search his Person and take all into possession—and bring him and effects into the Custody of the Vigilance Committee

By order of the Executive

July 31 1851

[Signed] S Payran

Presdt of Ex Com^e

[Endorsed:] Ret^d with Prisoner at 1½ Past two

No 418 Oakley

3 bags of Gold dust taken from him are in the possession of the Sergeant at Arms Amt about \$1500 as he states

No 418

W^m Bland & Phillips. Evidence against James W Warren

In the Matter of James W. Warren Charged with Robbery

William Bland *Sw[orn]* I know James W. Warren, I knew him on Trinity River, when Warren first came on the River he worked for myself and Brother a few days at four dollars a day, he then went into partnership with Horace Tarbell, Tarbell and Warren worked together until last Saturday was a week, Warren left the Diggings last Tuesday was a week, he said he was sick, and that he was going to see a man at the Upper Ferry called Reuben Smith, we never learned that he stopped at

my back was turned at the time My back was turned about 5 minutes

San Francisco July 30, 1851

THURSDAY, JULY 31, 1851
MINNEAPOLIS PAPERS

[Order for the arrest of James Warren]
Chief of Police

You will detail a guard and proceed on board the ship
Butt, and arrest one James (or B) Warren charged with Rob-
bery and bring him with all the Haggerty Money &c--as well as
passage money, if the Captain or Consignee will give it up
(Search his Person and take all into possession--and bring him
and effects into the Custody of the Vigilance Committee
By order of the Executive

July 31 1851
[Signed] S. Patten
Lieut of N. Com.

[Endorsed:] Recd with Prisoner at 1/2 Past two
No 418 Oddy
3 bags of Gold dust taken from him etc in the possession of
the Sergeant at Arms And about \$1500 as he knows
No 418

Wm Blaud & P. Blaud, Esquires against James W. Warren
In the Matter of James W. Warren charged with Robbery
William Blaud & P. Blaud I know James W. Warren I
know him on Trinity River, when Warren first came on the
River he worked for myself and brother a few days at four dol-
lars a day, he then went into partnership with Horace Tardell,
Tardell and Warren worked together until last September was a
week Warren left the business last Tuesday was a week he said
he was sick and that he was going to see a man at the Upper
Party called Reuben Smith, we never heard that he stopped at

[July 31, 1851]

the Upper Ferry My Brother coming from Shasta City on Trinity Mountain met Warren on Wednesday morning, the day after he, W. left another packer met Warren near Shasta City—he told my Brother that there were letters at Shasta City and he was going after them, he told the Packer that he had got a Letter, my Brother said that Warren name was not on the Express List of Letters—This Packer heard Warren make a contract with a Mule Team to take him—Warren to Sacramento City for Ten dollars, (the Packer heard Warren say to the owner of the Team that he had received a Letter from home and he was going to the States,) *in Bracketts witness explains*—as thus, Warren told the Packer that he Warren had received a Letter from home—and that he was going to the States, this is what the Packer told us at the Bar—when I [my] Brother returned home, he told H. Tarbell, Warren's Partner that Warren was going to the States—my Brother told this to Tarbell as a joke, The Packer and the man to whom Warren sold his Tools got back to the Diggings on Saturday following the Tuesday on which Warren left—they reported that Warren had started for the States.—

The McGowan Boys missed their Gold Dust on Friday, about \$100, taken out of four different Purses—H. Tarbell missed his money on Saturday a little after 12 O'clock (Warren had left on Tuesday before) Tarbell missed as near as he could recollect about \$500—this is all the money that was missing—Tarbell thought he had not lost any but on opening the Bag he found that about that amount \$500 had been taken out and Black sand put in in lieu of it, Horace Tarbell told me that he had made a little over \$1000 on that Bar, H Tarbell had about 1000 to 1500 on deposit beside this money—the only reason why the Boys suspected this man was, that he had gone to the States, Horace Tarbell offered to me, Mr Phillips all the Money that he had lost if we caught Warren if not that he would pay all our expenses—

This man Warren always sustained a good character at the Mines, we had no reason to suspect him, except in this case there has been, and now is many Thieves on the Trinity, and a good deal of money stolen there, I do not know the names of the Thieves—

[July 21, 1921]

the Upper Ferry. My Brother coming from Shasta City on Trinity Mountain met Warren on Wednesday morning the day after he left another packer met Warren near Shasta City—he told my Brother that there were letters at Shasta City and he was going after them, he told the Packers that he had got a letter, my Brother said that Warren's name was not on the Express List of Letters—This Packers heard Warren was a con-man with a Moho Team to take him—Warren to Sacramento City for Ten Dollars, (the Packers heard Warren say to the owner of the Team that he had received a letter from home and he was going to the States), he probably without explanation—so that Warren told the Packers that he Warren had received a letter from home—and that he was going to the States this is what the Packers told us at the time—when I paid Brother returned home he told H. Tarbell, Warren's Partner that Warren was going to the States—my Brother told this to Tarbell and John, the Packers and the man to whom Warren sold his Tools got back to the Digging on Saturday following the Tuesday on which Warren left—they reported that Warren had started for the States—

The McGowan Boys missed their Gold Dust on Friday about \$100, taken out of four different purses—H. Tarbell missed his money on Saturday a little after 12 O'clock; Warren had left on Tuesday before. Tarbell missed as near as he could recollect about \$500—this is all the money that was missing—Tarbell thought he had not lost any but on opening the door he found that about that amount \$500 had been taken out and that sent him in line of it, Horace Tarbell told me that he had made a little over \$1000 on that that H. Tarbell had about 1900 to 1920 on deposit beside this money—the only reason why the boys suspected this man was that he had gone to the States, Horace Tarbell offered to me, Mr. Phillips all the money that he had lost if we caught Warren. It not that he would pay all our expenses—

This man Warren always sustained a good character at the mines, we had no reason to suspect him except in this case there has been and now is many thieves on the Pacific and a good deal of money stolen there, I do not know the names of the Thieves—

[July 31, 1851]

I do not know anything of this Robbery except by hearsay—
Mr Warren did very well on this Bar, he made six or \$700 on
this Bar

his
William X Bland
Mark

Witness W. L. Bromley

Nathaniel T. Phillips *Sw[orn]* I have heard the Evidence
of William Bland read and it is substantially true, and is all
that I know about it;

[Signed] Nathl T Phillips

[Endorsed:] Filed July 31/51

James W Warren. Statement

In the matter of James W. Warren Charged with Robbery

July 31st 1851 Ex^e

James W. Warren, I am a Native of Derby Orleans
County State of Vermont, I am forty years of age, I left in
April 1850. I came to California by way of the Plains, I re-
sided sometime at Horse Shoe Bar, and some time at Coloma, and
along the little Bars of American River until January 1851, I
then started up for the Northern Mine I stopped at Mr Ruford
& Mr Prierson about 30 miles above Sacramento City and worked
for them at splitting rails, I left Mr Prierson with another man
by name of Cook to go on up to the Mines, we went as far as
Canyon Creek. sold a Mare we had and went with a Mr Spencer
and his Brother, assisted them in driving Cattle to the North
Salmon. I stopped at Salmon Creek about three weeks. I then
joined a young man by name of Tarbell, and went on to the Trin-
ity to work with him. I worked with him until within ten days of
this time, I started then to go to the Upper Ferry, and got as far
as the Middle Ferry, and not having received any Letters from
Home, a man told me that there was a Letter at the Springs for
me, I then went to the Springs, I there got a Letter from my Wife,
I have not the Letter, I lost the Letter, knife and belt, between
Fremont and Sacramento City—I then came on down to San

I do not know anything of this Robbery except by hearsay—
Mr Warren did very well on this Bar, he made six or \$100 on
this Bar

his
William X Bland
Mark

Witness W. L. Bromley

Nathaniel T. Phillips & (ore) I have heard the Evidence
of William Bland read and it is substantiated, and is all
that I know about it;

(Signed) Nath T Phillips

(Endorsed): Filed July 31, 51

James W. Warren, Statement

In the matter of James W. Warren charged with Robbery
July 31, 1851

James W. Warren, I am a Native of Dorset, Orange
County, State of Vermont. I am forty years of age. I left in
April 1850. I came to California by way of the Plains. I re-
sided sometime at Horse Shoe Bar, and some time in Colorado, and
along the little Bars of American River until January 1851. I
then started up for the Northern Mines. I stopped at Mr. Hildard
& Mr. Peterson about 30 miles above Sacramento City and worked
for them at splitting rails. I left Mr. Peterson with another man
by name of Cook to go on up to the Shino, we went as far as
Cannon Creek, sold a share we had and went with a Mr. Spencer
and his brother, assisted them in driving cattle to the North
Salmon. I stopped at Salmon Creek about three weeks. I then
joined a young man by name of Terrell, and went on to the Trin-
ity to work with him. I worked with him until within ten days of
this time. I started then to go to the Upper Ferry, and got as far
as the Middle Ferry, and not having received any letters from
Home, a man told me that there was a letter at the Springs for
me. I then went to the Springs. I there got a letter from my Wife,
I have not the letter, I lost the letter, but both between
Fremont and Sacramento City—I then came on down to San

[July 31, 1851]

Francisco, my object in coming to S. F. was to go home, I made an arrangement to go home in a Brig called the *Ruth*, I bought the Ticket from a young man by name of Isaac Watkins[?] for fifty dollars, I had been on board the Brig—I had nothing on board the Brig but a double barrellled Gun, which is now in the Committee of Vigilence Room—I went to the Salmon I had about \$1000—I went to Trinity—I had a little rising of \$1000—I had about 500 to \$600 that I made on the Trinity so that I had about \$1500 to \$1600—I do not think that I expended \$100 in coming down to S. F.

At the Springs I sold my Blankets Pick & Shovel & some Flour, to a man, the things sold by me were at my Cabin at Batchelors Bar on the Trinity, I was acquainted with the man to whom I sold the goods, he paid me five dollars—My Partner's name who worked with me was Horace Tarbell, I did not tell any one at the Digging, that I was going home I had settled up with him, we divided every Sunday—I left the Bar on Tuesday we had divided our Money on the Sunday previous—I had no intention of going home when I left the Bar receiving the Letter from my Wife at the Springs induced me to think of going home, I did not leave the Bar with an expectation of getting a Letter, I set out to make a little journey for my health. I did not know whether it would benefit me or not, We worked nearly three months on the Trinity, we divided from 40\$ to 96\$ per week a piece Tarbell must have had \$5 to \$600 as his share derived from the Diggings on the Trinity

There was nothing in the Letter of much importance to induce me to go home except that my wife had a young child born since my absence, and that a man who had lived on my Place had moved, and I thought I would go home at any rate,

I have not wronged any Man in California out of a cent, I never took or stole any Money the money I had in my possession and taken from my Person, is my own, I worked hard at the Mines to obtain it, and came honestly by it—

[Signed] J. W. Warren

[Endorsed:] Taken & filed July 31, 1851

Honorably Discharged by the Committee

[July 31, 1851]

Francisco, my object in coming to S. F. was to go home. I made an arrangement to go home in a brig called the *Kyle*. I bought the ticket from a young man by name of James Watkins. I had heard the Brig had a double-barrelled gun, which is now in the Gun-museum of Vigilance Room—I went to the Saloon I had about \$1000—I went to Trinity—I had a little change of \$1000—I had about 500 to \$800 that I made on the Trinity so that I had about \$1500 to \$1600—I do not think that I expended \$100 in coming down to S. F.

At the Springs I sold my Blakely's Pick & Shovel & some Flour, to a man, the things sold by me were at my cabin at Batchelors Bar on the Trinity. I was acquainted with the man to whom I sold the goods, he paid me five dollars—Mr. Farmer's name who worked with me was Horace Tardell. I did not tell any one at the Digging, that I was going home. I had settled up with him, we divided every Sunday—I left the Bar on Tuesday, we had divided our money on the Sunday previous—I had no intention of going home when I left the Bar, reasoning the letter from my wife at the Springs induced me to think of going home. I did not leave the Bar with an expectation of getting a letter, I set out to make a little journey for my health. I did not know whether it would benefit me or not. We worked nearly three months on the Trinity, we divided from 40¢ to 50¢ per week a piece. Tardell must have had 75 to \$300 as his share derived from the Digging on the Trinity.

There was nothing in the letter of much importance to induce me to go home except that my wife had a young child born since my absence, and that a man who had lived on my place had moved, and I thought I would go home at any rate.

I have not wronged any Man in California out of a cent. I never took or stole any money, the money I had in my possession and taken from my friend is my own, I worked hard at the mines to obtain it, and came honestly by it—

(Signed) J. W. Warren

[Endorsed:] Taken & filed July 31 1851

Honourably Discharged by the Committee

[July 31, 1851]

[Police Orders]

You are requested to bring Norman A'sing to the Committee Room for examination as a witness and herein fail not

By order of Executive Committee

July 31st 1851

[Signed] S Payran

To the Police

[Annotated:] Ret^d with N. Assing at 7 $\frac{1}{4}$ o'clock

No 418 [D. L. Oakley]

Chief of Police

You are directed forthwith to proceed and arrest one David Earle, and bring him into the Custody of the Vigilance Committee, and herein fail not

Done by order of the Executive

July 31st 1851

[Annotated:] Duplicate

You will notify Edward Lambert to appear before the Vigilance Committee for examination as a witness, and herein fail not

By order of the Executive

July 31st A D 1851

[Signed] S Payran

To the Police

[Annotated:] Non Comatabus Will present himself at 10 o'clock tomorrow on his brothers guarantee

No 418 [D. L. Oakley]

[Addressed:]

To the Executive Committee.

Present

D. L. Oakley

Piley Rush. Santa Clara July 31. 1851

Santa Clara July 31/51

To Mr Payran and the Seargent at Arms of the Vigilance Committee of San Francisco

The bearer Col. Peter J. Davis is a member of our Committee & one of the five for Correspondence Allow me to recom-

San Francisco Committee of Vigilance on 1851 391
[July 31, 1851]

[Police Order]

You are requested to bring Norman A. King to the Committee
Room for examination as a witness and herein fail not
By order of Executive Committee

July 31st 1851

[Signed] S. Payson

To the Police

[Annotated:] Help with N. A. King at 7 M. o'clock
No 418 [D. L. Oakley]

Chief of Police

You are directed forthwith to proceed and arrest one David
Earle, and bring him into the custody of the Vigilance Commit-
tee, and herein fail not

Done by order of the Executive

July 31st 1851

[Annotated:] Duplicate

You will notify Edward Lambert to appear before the Vig-
ilance Committee for examination as a witness, and herein fail
not

By order of the Executive

July 31st A. D. 1851

[Signed] S. Payson

To the Police

[Annotated:] Non Comedian Will present himself at 10
o'clock tomorrow on his business guarantee
No 418 [D. L. Oakley]

[Addressed:]

To the Executive Committee

Present

D. L. Oakley

July 31st 1851

San Francisco July 31st 1851

To Mr. Payson and the Secretary at Arms of the Vigilance Com-
mittee of San Francisco
The bearer Col. Peter J. Davis is a member of our Commit-
tee & one of the five for Correspondence. Allow me to recom-

[July 31, 1851]

mend him to your Notice as a Worthy member and one that means to straighten up the rascals wherever he finds them. I see by the paper you have got another Victim please communicate what you are doing, Respectfully

Piley Rush Chairman
of Committee of Correspondence—

[Addressed:]

To the Sergeant at Arms
Vigilance Committee
San Francisco

Ruben Calhoon. Sacramento City July 31. 1851

Sacramento City July 31st 1851

Executive Committee
San Francisco

Gentlemen Whitaker in company with one other escaped from this city night before last, between 2 & 5 A M. in a stolen boat, I think he is going to the Southern mines I have scoured the bank of the River 20 miles below this city, and shall start again tonight.

in great & Respdy

[Signed] Reuben Calhoon

V. C. 620

J R Beard. July 31. 1851. Sacramento City

Sac City July 31st 1851

To the Executive Committee of the Committee of Vigilance

Gents. Should Belcher Kay be discharged from the Custody of the Courts to morrow, I should like you to hold on to him for two or three days, and send me all the information you may have against him in order to assist in bringing out other information in this City. Should he arrive here before we have made our arrangements he may escape his just deserves. I shall expect to hear from you in relation to this matter by the morrows Express, and I have no doubts but that he will be fully Convicted in this City. I would refer to any of the members of your Com-

[July 31, 1851]

need him to your Notice as a worthy member and one that means to straighten up the records wherever he finds them. I see by the paper you have got another Victim please communicate what you are doing. Respectfully

Philip Bush Chairman

of Committee of Correspondence—

[Addressed:]

To the Sergeant at Arms
Vigilance Committee
San Francisco

Ruben Callahan Sacramento City July 31, 1851

Sacramento City July 31, 1851

Executive Committee

San Francisco

Gentlemen: Whatever in company with one other escaped from this city night before last between 2 & 3 A. M. in a stolen boat I think he is going to the Southwest mine. I have ascended the bank of the River 20 miles below this city and shall start again tonight.

in Great & Hardy

[Signed] Ruben Callahan

V. G. 820

J. A. Bandy July 31, 1851 Sacramento City

San Francisco July 31, 1851

To the Executive Committee of the Committee of Vigilance
Gentle: Should I believe Ray be discharged from the County of the County to answer, I should like you to hold on to him for two or three days and send me all the information you may have against him in order to assist in bringing out other information in this City. Should he arrive here before we have made our arrangements he may escape his just desert. I shall expect to hear from you in relation to this matter by the morning. Ray press and I have no doubts but that he will be fully convinced in this City. I would refer to any of the members of your Com-

[July 31, 1851]

mittee in Case you should have any hesitation in sending me the required information

Respy Yours

[Signed] J R Beard

We will send an Officer after him but require all the information before he is sent for—

J. R. B.

[Letter from Sincere Friend]

Sacramento City 31st July 1851

To the Vigilance Committee of San Francisco

Gentlemen It is understood by our citizens that T Belcher Kay is to be brought to this city for trial I would suggest to your Honorable body the impropriety of such a move at the earliest moment—for I am well satisfied from facts which I have in my possession that his removal here from *your* hands is for no other purpose than to insure his escape from justice It is a plot made up by individuals a part of his gang who are now infesting this city and to be plain with you Gentlemen I have been applied to as their attorney as they well know that I am intimate with all the Judges here knowing that his attorney at the Bay is not—any amount of money has been offered to me or to be secured to me to pay Judges to pick jurors who would act in accordance to their will and you know that money has a desirable effect if obtained secretly It is now election times, the Judges are aware of their large gang and to what extent a vote can be controled See how this notorious Tom Edwards¹ escaped at the last election as men running for public office knew he could control a large vote and through these same men he controlled the large vote for, he escaped justice through It is well known that it was only through your honorable body this villian Kay was arrested and just so sure as he passes out of *your hands* into the professed legal authorities just so sure will he escape justice

¹ The *Alta California*, March 27, 1851, spoke of the capture, in Sacramento, of the notorious Thomas Edwards, who had broken jail when arrested on a serious charge in August, 1850. In the next issue it reported: "There seems to be quite an excitement in Sacramento relative to the escape of Edwards who was arrested a few days since, and who was charged with shooting two Mexicans, and was let off on bail."

letter in case you should have any hesitation in sending me the
required information

Respectfully Yours

(Signed) J. R. Board

We will send an Officer after him but require all the informa-
tion before he is sent for—

J. R. B.

(Letter from Thomas Board)

San Francisco July 31st July 1851

To the Vigilance Committee of San Francisco

Gentlemen It is understood by our citizens that T. Board
has been brought to this city for trial I would suggest
to your Honorable body the propriety of such a move at the
earliest moment—for I am well satisfied from facts which I have
in my possession that his removal here from your hands is for
no other purpose than to insure his escape from justice. It is
a plot made up by individuals a part of his gang who are now
infesting this city and to be plain with you Gentlemen I have
been applied to as their attorney as they well know that I am not
made with all the Judges here knowing that his attorney at the
Bar is not—any amount of money has been offered to me or to
be secured to me to pay Judges to pick jurors who would not in
accordance to their will and you know that many has a desirable
effect if obtained secretly. It is now election time the Judges
are aware of their large gang and to what extent a vote can be
controlled. See how this notorious Tom Board's gang at the
last election as men running for public office know he could con-
trol a large vote and through these means men be controlled the
large vote for he escaped justice through. It is well known
that it was only through your honorable body that William Kay
was arrested and just as sure as he passed out of your hands will
the professed legal authorities just as sure will he escape justice

The Alta California, March 27, 1851, speaks of the meeting in 1851
meant of the notorious Thomas Board, who had broken jail when
arrested on a serious charge is alleged. In the next issue it
reported: "There seems to be quite an excitement in Sacramento relative
to the escape of Board who was arrested a few days since and who
was charged with abducting two Mexicans and was let off on bail."

[July 31, 1851]

and see the great number who have escaped justice before your honorable body was organized and took the matter in hand, and bribery has been the cause of it—Being a member of the Bar I have opportunities to know about these matters having been repeatedly applied to, but have declined in every instance on the ground, not only of honor, but that I did not wish my name before the public as being counsel for such a vile set of men. And to show you how crimes are hidden by bribery alone I will relate a circumstance which occurred here a few evenings since in the case of a man named Campbell who committed a robbery of a Lady to the amount of six hundred dollars—she applied for a warrant for his arrest between ten and eleven o'clock when the identical money that was stolen was found upon the rogue in his possession and instead of the officials keeping him in custody till next morning and trying him before the public, he at midnight had a secret trial through the means of *money* and also the Presses were bribed not to notice it many of his friends has called upon the Lady to have the complaint withdrawn and offered her large amounts for that purpose and she applied to the Judge to withdraw said complaint who stated that he had many applications to have it withdrawn and that it would be done in a few days provided *nothing was said* about it, as the Presses have already been made silent on the subject

Gentlemen I would call your especial attention to the perusal of a certain article on first page of the "*Alta California*" of July 30th headed "*Delay is Dangerous*"²

I am most respectfully your sincere friend

[...]

[Endorsed:] No Signature Sacramento City July 31. 1851

[Addressed:]

Hon. Samuel Brannan

San Francisco

Cal

Gregory & Co Express Please deliver immediately after arrival.

[Stamped:] Gregory's Express Paid

² The *Alta* of July 30 printed an editorial condemning the many postponements occurring in the criminal courts of the city and state.

*The Lib of July 26 contained an editorial concerning the many persons
 concerned in the criminal case of the city and state.

[Signed:] Gregory & Co. Express Paid

arrival.

Gregory & Co. Express Please deliver immediately after

San Francisco
 Hon. Samuel Freeman

[Address:]

[Endorsed:] No Signature Sacramento City July 31 1851

I am most respectfully your sincere friend

304 headed "Delay is Dangerous"

of a certain article on first page of the "Lib Liberator" of July
 Gentlemen I would call your especial attention to the personal
 have already been mentioned on the subject

a few days provided nothing was said about it, as the Treasury

applications to have it withdrawn and that it would be done in

Judge to withdraw said complaint who stated that he had many

called upon the Lady to have the complaint withdrawn and af-

Treason were bribed not to notice it. Many of his friends had

had a secret trial through the means of money and also the

next morning and trying him before the public, he at midnight

possession and instead of the officials keeping him in custody till

identical money that was stolen was found upon the table in his

a warrant for his arrest between ten and eleven o'clock when the

of a Lady to the amount of six hundred dollars—she applied for

in the case of a man named Campbell who committed a robbery
 relate a circumstance which occurred here a few evenings since
 And to show you how crimes are hidden by bribery alone I will
 before the public as being counsel for such a vile set of men.
 the ground, not only of honor, but that I did not wish my name
 repeatedly applied at but have declined in every instance an
 I have opportunities to know about these matters having been
 and bribery has been the cause of it—Being a member of the bar
 your honorable body was organized and took the matter in hand
 And see the great number who have escaped justice before

[July 31, 1851]

[July 31, 1851]

Copy [of a letter to Captain Wakeman]

July 31 51

Executive Committee of the Vigilance Committee of San Francisco, July 31, 1851

At a special meeting of the Executive Committee held this day a vote of thanks was passed, to be tendered by the President of the Executive Board to Capt Edgar Wakeman³ for the faithful and honorable discharge of his duties as a member of the Committee of Vigilance of San Francisco,
Capt. Edgar Wakeman,

Dear Sir, "Herewith you will receive a vote of thanks passed by your Brethren in token of the respect they feel, for the many and very important services rendered by you, as a member of this body—In this name I must express great regret at your absence even for a short period, but at the [same time] we feel great pleasure at the prospective benefits you may receive from the position in which [you are to be] placed, as Commander of the good [Ship *Independence*]; you are now about to return to a life] on the waters, still a Citizen of [San Francisco, and a] member of the Vigilance Committee . . . not lost by reason of water, [but] . . . your Vigilance is rather increased] . . . May a firm hand and steady ever be yours to guard against hidden rocks and lee shore, if firmness, and coolness in action are any evidence of character in time of danger, to you we accord much praise.

While our devoted City was undergoing the horrid ordeals of arson, murder & Burglaries, when corruption in all Departments of State walked abroad at noon-day, and like the Harlot had lost all conscientiousness, when the People dismayed and ruined scarcely knew what to do, I say at that moment you joined the good and virtuous to put down the evils, showing

³ Captain Wakeman, chief of the water police of the Committee of Vigilance, had recently been appointed commander of the Vanderbilt line steamer, *Independence*, and sailed from San Francisco for Panama on July 31. The papers reported that a large number of his friends assembled on board to say farewell, and Mr. Woodworth, as spokesman, made presentation of a signal flag of crimson satin, fourteen feet long, emblazoned with the two words "Vigilance" and "Eureka." The copy of the letter is badly torn, but obvious words are supplied, in brackets.

Copy [of a letter to Captain Wicksman]

July 31 51

Executive Committee of the Vigilance Committee of San Francisco,
also, July 31, 1851

At a special meeting of the Executive Committee held this day a vote of thanks was passed, to be tendered by the President of the Executive Board to Capt Edgar Wakeman, for the faithful and honorable discharge of his duties as a member of the Committee of Vigilance of San Francisco.

Capt. Edgar Wakeman.

Dear Sir, "Hereafter you will receive a vote of thanks passed by your Brethren in token of the respect they feel for the many and very important services rendered by you, as a member of this body. In this name I must express great regret at your absence even for a short period, but at the same time we feel great pleasure at the prospect before you, may receive from the position in which you are to be placed as Commander of the good [Ship Lady] [name], you are now about to return to a life on the water, still a Citizen of San Francisco, and a member of the Vigilance Committee. . . . not lost by reason of water, [but] . . . your Vigilance is rather increased. . . . May a firm hand and steady ever be yours to guard against hidden rocks and ice shoals. If firmness and nobleness in action are any evidence of character in time of danger, to you we record much praise.

While our devoted City was undergoing the horrid ordeals of arson, murder & highway robbery, when corruption in all Departments of State walked abroad at noon-day, and the Harbor had lost all conscientiousness, when the people demoralized and ruined scarcely knew what to do, I say at that moment you joined the good and virtuous to put down the evil, showing

* Captain Wakeman, chief of the water police of the Committee of Vigilance, had recently been appointed commander of the "Lady" [name] [name], and sailed from San Francisco for France on July 31. The papers reported that a large number of his friends accompanied him on board to say farewell, and Mr. Wakeman, in his address, mentioned a signal flag of crimson water, which had been hoisted with the two words "Vigilance" and "Justice." The copy of the letter is badly torn, but almost words are supplied in brackets.

[July 31, 1851]

conclusively that the People when once justly excited, are and of right ought to be the governing principle so far we have done well, but there remains [much] to be done before the reins should be relaxed—[we hop]e to meet you often, our hearts are ever open to receive [you] whenever you enter our Port, or meet where we may—[we wish] you a long and prosperous life, and in the end a [safe anchorage] in the Haven of Eternal rest.

With Sentiments of regard for high & virtuous actions in good cause of the People, We are yours ever & truly,

Signed Stephen Payran, President of Ex. Committee John F. Spence, W^m F Coleman, George Mellus, James B Huie, Chas L Brinley, Thomas McCahill, James F Curtiss, G. M. Garwood, F A Woodworth, Selim E Woodworth, Ex officio member of Executive Com^{tee} and President of General Comtee

[The following undated documents appear to relate to events which transpired in July, although it is impossible to determine their exact chronological position.]

[*Fragment of Minutes*]

Mr Moss admitted that he knew a lady who knew the person who set fire to the first building destroyed in the fire—

Moved & seconded that five more members be added to Qualification Com and to be appointed by the Chair. Carried.

Members named added are F. Woodworth, Geo. Ward, Geo. E. Schenck, James Ward, A. J. Ellis.—

proposed & seconded that all evidence be handed in in writing, that may be tendered to the Executive Committee. Carried.—

Moved & seconded, that Don Pedro⁴ be put on the Executive Committee as Interpreter in the Spanish & English Languages.— Carried.—

⁴Palmer B. Hewlett, a captain in Stevenson's regiment (First N. Y. Volunteers) was familiarly called Don Pedro (Barry and Patten, *Men and Memories of San Francisco in the Spring of '50*, S. F., Bancroft, 1873, p. 43), but his name does not appear on the roll of the Committee of Vigilance.

[July 31, 1921]

conclusively that the People when once justly excited, are and of right ought to be the governing principle so far we have done well, but there remains [much] to be done before the reins should be relaxed—[we hope] to meet you often, our hearts are ever open to receive [you] whenever you enter our Port, or meet where we may—[we wish] you a long and prosperous life, and in the end a [safe anchorage] in the Haven of Eternal rest.

With Sentiments of regard for high & virtuous actions in good cause of the People, We are yours ever & truly,
Signed Stephen Payson, President of Ex-Committee John F. Spencer, Wm F. Coleman, George Nelson, James H. Hunt, Chas. I. Brinkley, Thomas M. Cahill, James P. Curtis, H. M. Hayward, F. A. Woodworth, Selma E. Woodworth, Ex-officio member of Executive Comm^{tee} and President of General Council.

[The following undated documents appear to relate to events which transpired in 1921, although it is impossible to determine their exact chronological position.]

[Statement of Minutes]

Mr. Moss admitted that he knew a lady who knew the person who set fire to the first building destroyed in the fire—
Moved & seconded that five more members be added to General Session Com and to be appointed by the Chair. Carried.
Members named added are F. Woodworth, Geo. Ward, Geo. E. Schenck, James Ward, A. J. Ellis—

proposed & seconded that all evidence be handed in to this Com, that may be tendered to the Executive Committee. Carried—

Moved & seconded, that Don Pedro be put on the Executive Committee as Interpreter in the Spanish & English languages—

Carried—

*James B. Hawley, a captain in Stevenson's regiment (Feb. 2, 1917) was incidentally called the "Red" Hawk and called the "Red" Hawk in the report of the U. S. Army, January 1917, and mentioned as the person who was not present at the committee of 1917, but his name does not appear on the roll of the committee of 1917.

[July 31, 1851]

Moved & seconded the meeting adjourned until 8 P.M. Monday. Carried.

[Resolutions]

Resolved—1st. That the deliberations of this Body should be marked with dignity and solemnity, commensurate with the nature of the subject before them

2nd That all loud demonstrations of approval or disapproval are undignified and incompatible with the true spirit of deliberation and are hereby declared out of order in this Committee.

3rd That any person offering an indecent remark to a speaker engaging the attention of this Committee, shall be forthwith expelled from the room.

4th That the above resolutions be filed on the minutes of this Committee

No—404 [Rodmond Gibbons]

Geo H Sanderson Stockton V. C. July 1851

W^m C. Graham Esq Sec^y San Francisco Committee

Dear Sir One of the members of your society Mr S. B. Sewall N^o 398, accompanied by his friend Mr Kimball arrived in Stockton yesterday and took dinner with me at a French Restaurant while eating dinner a lady entered the room whom they immediately recognized as having seen in a saloon on Commercial St San Francisco and they thought the same saloon at which the difficulty occurred between Cha^s Duane and Frank Ball. I questioned the keeper of the restaurant and he informed me she had kept in a French House on Commercial Street and had been but three days in Stockton and her name was Renschart or something that sounded like that she was accompanied by a small boy probably about eight years of age—and would leave in the stage the next (this) morning for Jamestown This morning while at breakfast in the same house the stage called for her, but she not being ready, it left to return for her in a few moments. I think she was accompanied by a short rather plump

Moved & seconded the meeting adjourned until 8 P.M. Mon-
day. Carried.

[Resolutions]

Resolved—1st That the deliberations of this body should be
marked with dignity and solemnity, commensurate with the
nature of the subject before them

2nd That all loud demonstrations of approval or dis-
approval are unbecoming and incompatible with the true spirit
of deliberation and are hereby declared out of order in this
Committee.

3rd That any person offering an indecent remark to a
speaker engaging the attention of this Committee shall be forth-
with expelled from the room.

4th That the above resolutions be filed on the minutes
of this Committee

No—404 [Richard Gibson]

Geo W Sanderson Stockton N. C. July 1857

Wm C Graham Esq Sec San Francisco Committee

Dear Sir One of the members of your society Mr R. H.
Sewall No 328, accompanied by his friend Mr Kimball arrived
in Stockton yesterday and took dinner with me at a French
Restaurant while eating dinner a lady entered the room whom
they immediately recognized as having been in a saloon on Com-
mercial St San Francisco and they thought the same saloon at
which the difficulty occurred between Chas. Davis and Frank
Ball. I questioned the keeper of the restaurant and he informed
me she had kept in a French House on Commercial Street and
had been but three days in Stockton and her name was Henderson
or something that sounded like that she was accompanied by
a small boy probably about eight years of age—and would have
in the stage the next (this) morning for Jacksonville. This morn-
ing while at breakfast in the same house the stage called for her
but she not being ready it left to return for her in a few
moments. I think she was accompanied by a short rather plump

[July 31, 1851]

Frenchman with Moustache and Imperial wore plain pants (very light) and short Coat Blue Check a sort of quaker pattern. Small Panama Hat. She had but little baggage and had a wire cage, containing a Canary Bird. She is of medium height black hair and eyes—rather florid complexion; features large and rather coarse wore a black Silk Visite and I think a dark plaid dress—the Doct. rather thought she recognized him and seemed to watch him a few moments and she passed out the front door of the house and must have entered the house again by the door in the rear of the house. On leaving your town he heard that one of the principal witnesses in Duane's case had been sent out of the way and he thought this woman might be the one, and requested me to inform you of this woman. Being in a great hurry at the time I could not wait to see the woman off in the stage but presume she went, as I saw her trunk put on board—

I[f] there is any more information to be got concerning this woman it can be obtained very easily

Very Respy your Serv^t

Geo H Sanderson

Sec^y Stockton Vig^e Committee

Patrick Meleersen Marysville

Gentlemen

I beg to inform you that Rubes Rancho, 30 miles above Marysville, near Bidwells Bar, was robbed on the twenty sixth at night, and among other things 4 watches are stolen—the description of one is as follows

Silver Hunting Lever Chrystal broken Made by Dent of London the Cap screws on and has no spring, by which to lift off with—has a small silver chain with a small Gold Seal with a Dove having a letter in his Bill, with the word Kate[?] underneath —the remaining watches I know not the description of—the mans name is supposed to be *Smith* Thick Set Darkish brown hair had on shoes

Came to the Rancho on a Quartz expedition—& deposited his own watch—I regret to give you so much trouble, but I deem

[July 21, 1881]

Frenchman with Monastic and Imperial, were plain pants, very light) and short Coat Blue Check a sort of quaker pattern. Small Panama Hat. She had but little baggage and had a wire cage containing a Canary Bird. She is of medium height, black hair and eyes—rather florid complexion; features large and rather coarse—wore a black Silk Veil and I think a dark plain dress—the Doct. rather thought she recognized him and seemed to watch him a few moments and she passed out the front door of the house and must have entered the house again by the door in the rear of the house. On leaving your house he said that one of the principal witnesses in Hume's case had been sent out of the way and he thought this woman might be the one and requested me to inform you of this woman. Being in a great hurry at the time I could not wait to see the woman off in the stage but presume she went, as I saw her trunk put on board—

[11] there is any more information to be got concerning this woman it can be obtained very easily.

Very Hoppy your Serv.

Geo. H. Johnston

Secy. Johnston V. Johnston

Patrick Johnston, Maryland

Gentlemen

I beg to inform you that Robert Hume, 30 miles above Maryland, near Humeville, was robbed on the twenty sixth at night and among other things 4 watches were stolen—the description of one is as follows

Silver Hunting Lever Crystal broken chain by front of London the Cap across on and has no spring by which to lift off with—has a small silver chain with a small Gold Seal with a Dove having a letter in his bill with the word Eagle in underneath—the remaining watches I know not the description of—the name name is supposed to be Smith. These 3 or 4 watches brown hair had on shoes

Came to the Hume on a Quaker expedition—2 deposited his own watch—I regret to give you no more trouble but I deem

[July 31, 1851]

it my duty in the present state of affairs, sternly & unflinchingly
to prosecute a Thief

I beg to remain

Gentlemen Your Obedt Servt

[Signed] Patrick Melerson

address Covilland House

Marysville

P. S. I have written the committee Sacramento

[Addressed:]

To the Committee of Vigilance

San Francisco

[Letter from Eugene Delessert]

To the President of the Vigilance Committee

Gentleman The first duty & the principal object of the
organization of our body is to protect our city from any such
deplorable conflagration [as] has have taken place already—

Now it is known to every one that through carelessness of
the street commissioners great deal of combustible matters are
laying in the street in different part of the city & the slightest
spark may again set fire to the whole town

We then propose a committee to be appointed to call or write
to the common council begging of them to take such steps [as]
they may think proper for the security of all

[Signed] Eug Delessert

[Annotated:] Seconded Geo. R. Ward

FRIDAY, AUGUST 1, 1851

MINUTES

Minutes of Executive Committee August 1, 1851

Mr Stephen Payran in the Chair

Present — Stephen Payran—Capt Gorham W L Bromley
—G E Schenck F A Woodworth Mr Ryckman Geo J
Oakes I Bluxome Jr C L Brinley Jas B Huie Capt
Garwood

it my duty in the present state of affairs, steadily & unflinchingly
to prosecute a Thief

I beg to remain

Gentlemen Your Obedt Servt

[Signed] Patrick Nelson

address Covilland House

Marquette

P. S. I have written the committee Sacramento

[Addressed:]

To the Committee of Vigilance

San Francisco

[Letter from Ewgen Nelson]

To the President of the Vigilance Committee
Gentlemen The first duty & the principal object of the
organization of our body is to protect our city from any such
deplorable contamination [as] has have taken place already—

Now it is known to every one that through carelessness of
the street commissioners great deal of combustible matters are
lying in the street in different part of the city & the slightest
spark may again set fire to the whole town

We then propose a committee to be appointed to call or write
to the common council begging of them to take such steps [as]
they may think proper for the security of all

[Signed] Eug Nelson

[Annotated:] Seconded Geo H Ward

Friday, August 1, 1851

MINUTES

Minutes of Executive Committee August 1, 1851

Mr Stephen Patten in the Chair
Present Stephen Patten—Capt Graham W L Browning
—G E Schack F A Woodworth Mr Rydman Geo J
Oakes I Blazome Jr G P Bishop Jas B Hale Capt
Garwood

[August 1, 1851]

On motion Mr F Woodworth

Resolved That all Prisoners in custody of the Committee of Vigilance shall be at all times in charge of the Chief of Police and his Marshalls, and that any previous rule conflicting with this resolution be and is hereby *rescinded*

Prisoner—Richard Wilson was examined and discharged—and ordered to leave the State of California within 48 hours from 10 P M this night—

On motion of Mr F Woodworth

Resolved That any member of the Executive Committee who shall absent himself from "Three" consecutive regular meetings of said committee shall be fined the sum of five dollars, which fine shall be appropriated to the uses of said Committee—

David Earl—Examination in this case was commenced and continued over until tomorrow evening

The following order was issued to the Chief of Police—

The Chief of Police Is hereby directed to take charge of all Prisoners in Custody; and see that they are well taken care of—and in no event to allow any person to have intercourse with them—

On Motion Adjourned

[Signed] Isaac Bluxome Jr
Secretary

MISCELLANEOUS PAPERS

Police Report. August 1. 1851

J L Van Bokelin Esq Chief of Police

Sir Having ascertained that T Belcher Kay has an order for his discharge I have ordered that the prison be guarded by W. O Smith & such other members as I could find—Have also ordered the *Oregon* to be guarded—You will please releive me from one of the other guard as I am Smith's junior & under his orders & he is only acting now by courtesy.

It being steamer day¹ I have had great difficulty in getting

¹ A separate chapter in Soulé's *Annals of San Francisco* (pp. 625-638) is devoted to a description of the intense excitement that attended the sailings of the semi-monthly steamers for the east. The necessity of making commercial remittances by each mail established the general practice of collecting short term accounts on the middle, as well as on

[August 1, 1881]

On motion Mr F Woodworth

Resolved That all prisoners in custody of the Committee of Vigilance shall be at all times in charge of the Chief of Police and his Marshall, and that any previous rule conflicting with this resolution be and is hereby rescinded.

Prisoner—Richard Wilson was examined and discharged—and ordered to leave the State of California within 24 hours from 10 P M this night—

On motion of Mr F Woodworth

Resolved That any member of the Executive Committee who shall absent himself from "Three" consecutive regular meetings of said committee shall be fined the sum of five dollars which fine shall be appropriated to the uses of said Committee—

David Earl—Examination in this case was commenced and continued over until tomorrow evening

The following order was issued to the Chief of Police—

The Chief of Police is hereby directed to take charge of all prisoners in custody, and see that they are well taken care of—and in no event to allow any person to have intercourse with them—

On Motion Adjourned

[Signed] Isaac Williams Jr

Secretary

NICKELANDER PAPERS

Police Report, August 1, 1881

J L Van Bokkum Head Chief of Police

Sir Having ascertained that T Holcher Ray has an order for his discharge I have ordered that the person be guarded by W O Smith & such other members as I could find—Have also ordered the Order to be guarded—You will please retain the from one of the other guard as I am Smith's junior & under his orders & he is only acting now by courtesy.

If being stammer day I have had great difficulty in getting

A separate chapter in Smith's Journal of San Francisco (pp. 322-323) is devoted to a description of the intense excitement that attended the making of the revolutionary movement for the year. The necessity of making commercial transactions in such well established the general practice of collecting that some accounts on the subject as well as an

[August 1, 1851]

a guard whilst it is at the same time a serious inconvenience to myself

Yr obt svt

[Signed] Dan^l J Thomas Jr

San F. Aug 1. 1851—

Richard Wilsons Statement. August 1. 1851

Richard Wilson, I was born in London, I am about fifty years of age, I left London in 1847, I left London in a ship called the *Canaire* bound to Sydney she was not a convict ship I shipped on her as a Sailor I was paid off at Sydney & left her, I then shipped on board the *Rajah* Capt Johnson for San Francisco and arrived about two years last August, I worked in San Francisco for Benjⁿ Reynolds I have never been out of San Francisco the name of the man that kept House with me is Coombs—I rent the House I live in a House which I rent of a man called Daddy I pay him ten dollars a week—I do not know Adams Edwards, Whittaker, T B Kay

Hays, Burns—I have always worked about Town,

[Annotated:] Richard Wilson Discharged

[Case of Jonathan Ellis]

Jonathan Ellis is a man of about thirty years of age. He is about six feet high, very long legs, rather blue or gray eyes light hair And if I remember rightly he has a fair skin, Though like all laboring men in C—a he was tolerably well taned with the sun, The fore finger of one of his hands, is crooked, or inclined to the inside of his hand,

He was taken up and tried for stealing about ten or eleven hundred dollars in dust, And although he plead innocence and the money could not be produced, from the evidence given on the day of trial It is the general belief that he has the money.

In addition to the above description An eagle is pricked on the center of his breast the wings extending right & left. Has

the first of each month, and the memory of the old "Steamer Day" was perpetuated in the San Francisco business world by the survival of this local custom, until it was discontinued during the conditions that arose after the earthquake and fire of 1906.

a guard whilst it is at the same time a serious inconvenience to myself

Yr obt serv

[Signed] Isaac J Thomas Jr

San F. Aug 1. 1851—

Richard Wilson's Statement. August 1. 1851

Richard Wilson. I was born in London, I am about fifty years of age, I left London in 1847, I left London in a ship called the Cassiope bound to Sydney. She was not a convict ship. I shipped on her as a sailor. I was paid off at Sydney & left her. I then shipped on board the Rajah Capt Johnson for San Francisco and arrived about two years last August. I worked in San Francisco for Henry Reynolds. I have never been out of San Francisco. The name of the man that kept House with me is Coombs—I rent the House. I live in a House which I rent of a man called Dandy. I pay him two dollars a week—I do not know Adams. Edwards, Whitaker, T B Ray, Hays, Burns—I have always worked about Town.
[Annotated:] Richard Wilson Discharged

[Case of Jonathan Ellis]

Jonathan Ellis is a man of about thirty years of age. He is about six feet high, very long legs, rather blue or gray eyes, light hair. And if I remember rightly he has a fair skin. Though like all laboring men in C—a he was tolerably well tanned with the sun. The fore finger of one of his hands is crooked, or inclined to the inside of his hand. He was taken up and tried for stealing about ten or eleven hundred dollars in debt. And although he paid no money and the money could not be produced, from the evidence given on the day of trial it is the general belief that he has the money.

In addition to the above description An eagle is perched on the center of his breast the wings extending right & left. His

the first of each month, and the memory of the old "Whispering Tree" was perpetuated in the San Francisco business world by the survival of this local custom, until it was discontinued during the conditions that arose after the earthquake and fire of 1906.

[August 1, 1851]

whiskers of a sandy colour with moustachios & imperial of the same.

When leaving this place he took with him between Forty & Fifty Dollars in dust confessing at the time that it was all he then possessed.

And to the truth of the foregoing we hereby place our signatures.²

Hardin Brothers

[Signed] E. T. Hardin

C. A. Gillham

Union Bar Feather River Cal—August 1st 1851

[Annotated:] This money was taken from John White of the Union Bar Feather River Cal—

Edward Lambert against Robert McKenzie & William Hays

Edward Lambert— *The prisoner McKenzie³ brought in. recognised by Mr Lambert Prisoner does not know Mr Lambert.* McKenzie was in The Station House about eight months ago, and was there at least a week and ½ I do not [know] the charge he was brought in on,

Wm H. Hays, prisoner, brought in recognized by Mr Lambert, and known to the prisoner I have known Hays between 9 & 10 mos^s. first I knew him in the station House I thin[k] he was before recorder, whether discharged or not I do not know, he was out sometime and brought in Some charge about a woman I think was a prisoner about 4, or 5, Mo^s—on The Second Charge.

[Signed] Edward Lambert

SATURDAY, AUGUST 2, 1851

MINUTES.

Minutes of General Meeting August 2, 1851

Mr Sharon in the Chair

Minutes of previous meeting read and approved

² See also p. 414.

³ McKenzie was finally arrested in Sacramento, July 29 (*S. F. Herald*, July 30). See also note 27, p. 232.

402
[August 1, 1851]
Agency on Pacific Coast Harbors
Whiskers of a sandy colour with mountains & imperial of the
same.
When leaving this place he took with him between Forty &
Fifty Dollars in gold confining at the time that it was all he
then possessed.
And to the truth of the foregoing we hereby place our sign-
tures.

Hardin Brothers
[Signed] E. T. Hardin
C. A. Gilliam
Union Bar Feather River Cal--August 1st 1851
[Annotated] This money was taken from John White of the
Union Bar Feather River Cal--

Edward Lambert against Robert W. McKean & William Hays
Edward Lambert-- The prisoner McKean brought in
recognized by Mr. Lambert. Prisoner does not know Mr. Lambert.
McKean was in the Station House about eight months ago,
and was there at least a week and 1/2. I do not know the charge
he was brought in on.
Wm H. Hays, prisoner, brought in recognized by Mr. Lam-
bert, and known to the prisoner. I have known Hays between
9 & 10 mo. but I know him in the station House. I think he
was before recognized, whether discharged or not I do not know.
he was not sometimes and brought in about charge about a
woman. I think was a prisoner about 4 or 5 mo--on the Sac-
and Charge.

[Signed] Edward Lambert

SATURDAY, AUGUST 2, 1851

MINUTES

Minutes of General Meeting August 2, 1851

Mr Sharon in the Chair

Minutes of previous meeting read and approved

* See also p. 414

* McKean was finally arrested in Sacramento, July 22 (C. F. Herald,
July 30). See also note 27, p. 422.

[August 2, 1851]

On motion Mr Drake

Resolved, That all British Convicts are hereby notified to leave this City withing 30 days from date by order of Committee of Vigilance— passed

The Committee appointed to report on the use and abuse of the Habeas Corpus Act—made a full and lengthy report and on motion was accepted with the thanks of General Body—and placed on file

In consequence of the inability of the Sergt at Arms to obtain a sufficient night and day guard—therefore be it

Resolved that the Sergeant at Arms be authorized to fill out the different companies from the Register forthwith

On motion 418 [D. L. Oakley]

Resolved That no person be allowed admittance to this room as a member on or after Tuesday evening August 12. 1851 unless all dues and fines against him be cancelled

On motion I Bluxome Jr

Resolved That the Sergeant at Arms or person in charge of the door for Four consecutive meetings also the guard at the door through the day shall ask each member of this body as he enters this room if he has paid his dues if not pay immediately—and all resolutions conflicting with this be and are hereby rescinded

MISCELLANEOUS PAPERS.

[*Police Orders*]

You are requested to bring Harriet Langley so called, she is at the House of Miss Bailey in Keaney Street South of Sacramento Street to be examined as a witness

Done by order of Executive

August 2nd 1851

[Annotated:] Gone to Stockton this evening 8/2.51

D J. Thomas Marshall 4

Mr Deary is requested to call before the Committee as a witness

Done by order of Executive

August 2nd 1851

On motion Mr Drake
Resolved, That all British Consuls are hereby notified to
leave this City within 30 days from date by order of Committee
of Vigilance—passed

The Committee appointed to report on the use and abuse of
the Habeas Corpus Act—made a full and lengthy report and on
motion was accepted with the thanks of General Body—and
placed on file

In consequence of the inability of the Sergeant at Arms to obtain
a sufficient night and day guard—therefore be it
Resolved that the Sergeant at Arms be authorized to hire
out the different companies from the Register forthwith

On motion 418 [D. L. Oakley]
Resolved That no person be allowed admittance to this
room as a member on or after Tuesday evening August 12, 1851
unless all dues and fines against him be cancelled

On motion 419 [D. L. Oakley]
Resolved That the Sergeant at Arms or person in charge
of the door for four consecutive meetings also the guard at the
door through the day shall ask each member of this body as he
enters this room if he has paid his dues if not pay immediately—
and all resolutions conflicting with this be and are hereby re-
scinded

MISCELLANEOUS MATTERS

[Police Order]

You are requested to bring Harriet Langley so called who is
at the House of Miss Bailey in Kearney Street South of Sans-
onito Street to be examined as a witness

Done by order of Executive

August 2nd 1851

[Annotated:] Gone to Stockton this evening 8.30

D. L. Thomas Marshal 4

Mr Dent is requested to call before the Committee as a

witness

Done by order of Executive

August 2nd 1851

[August 2, 1851]

The officer in charge of this order will make it his business to call on Mr Deary at Orin Bailey' Esquire; and make report to this Committee forthwith

[Signed] S Payran

[Endorsed:] Mr Deary has been call^d upon and has been absent from Mr Bailey's for two days, Leave instruction with Justice B— at his Court Room & they will come to hand—

August 3rd 51

No 418 D L Oakley

*Report of Committee on Use & Abuse of the Writ of
Habeas Corpus*

The Com^e to whom was referred the Resolution "that a Committee of three shall examine the Question of the Use and Abuse of the Writ of Habeas Corpus and report the same to the Committee with its opinion of the degree of respect which shall be accorded by the Vigilance Committee to that Writ"—have the honor to submit as follows.

The Writ of Habeas Corpus devised in the hour of oppression as a safeguard to liberty is one of the most precious of the rights of man, and to the genius who conceived it humanity when assailed by wrong owes an eternal debt of gratitude. Before its action innocence and weakness possessed no last resort to protect and shield it from the strong arm of force. By its creation the pride and arrogance of tyranny were subverted, and if intellect have contributed more than physical force to the diffusion of Liberty among Men it is in the existence of this writ that the most convincing proof is found.—Its origin is due to English jurists. The happy idea which gave it birth dawned in a mind which grieved for a nation's servitude—a mind, which has raised noblest of monuments to mark the transition from feudal & aristocratic power to the universal freedom and equality of men. In the civil wars of England when the rights of man were struggling in vain to disenthrawl their existence from the capricious violence of intrigue and tyranny, the Writ of Habeas Corpus was first employed, extorted from the resisting and opposing hand of Government,— It is the offspring and fruit of resistance and opposition to the existing law, and it is thus that the freedom of the people has ever been obliged to establish and maintain

[August 2, 1851]

itself against the abuse of its own delegated protectors and defenders. The Magna Charta is the pride and boast of English freedom. The Habeas Corpus is the most glorious feature of Magna Charta. By it England commenced the edifice of Liberty and America by its powerful cooperation will aid to complete the structure. So appreciated, the true spirit and essence of the Habeas Corpus act is essentially protection of the people's rights and of human freedom, and as such every lover of law and every promoter of order, all who would maintain the sacred principles which form our social bond, will venerate and defend it—Administered in its purity and in equity no man to whom a constitutional right is dear, no man whose Faith lives and breathes in Justice will oppose, or raise his voice against it—But on the other hand your Committee ask, May the people resist it? Is its action inevitably indisputable?—The mind is most sensitive in regard to that which it holds most dear. Against the abuse of its most precious right, whose use in the hour of need is its final appeal, the talisman of its liberty, it is keenly anxious and proportionally solicitous.— The intention of the writ is to relieve from unjust custody an accused individual on condition that he offer bail & appear in Court when required. That no man's liberty may be restrained a moment until a charge can be substantiated, the writ may be claimed at any time, day or night, and the officers of justice are compelled to yield to it immediate obedience. The weakness of the Habeas Corpus lies in the fact that to insure its rapid action the right of granting it must be vested in many officers. An oath made on erroneous information, or a false testimony may in an instant wrest from the hands of justice, the criminal whom it has required months of labor and expense to secure. Malice may divert it from its equity and pollute its purity. And thus in a moment may our greatest blessing become a most baneful curse. It is in this view that the Vig: Com: is especially interested in the question. It is against the Abuse of the Habeas Corpus that this people are called to raise their voice. And if the Vig: Com. be the people, it is through the former that the latter may obtain justice and freedom from the ills which oppress and ruin our community.

We have seen the Habeas Corpus rise a pure gem from the

itself against the abuse of its own delegated powers and the leaders. The Magna Charta is the pride and boast of English freedom. The Habeas Corpus is the most glorious feature of Magna Charta. By it England commenced the edifice of liberty and America by its powerful cooperation will aid to complete the structure. So appreciated, the true spirit and essence of the Habeas Corpus act is essentially protection of the people's rights and of human freedom, and as such every lover of law and every promoter of order, all who would maintain the sacred principles which form our social bond, will vigorously and defend it. Against it, in its purity and in equity we mean to whom a constitutional right is dear, no man whose faith lives and breathes in Justice will oppose, or raise his voice against it—that on the other hand your Committee ask, May the people resist it? Is its action inevitably indispensable?—The mind is much sensitive in regard to that which it holds most dear. Against the abuse of its most precious right, whose use in the hour of need is the final appeal, the champion of its liberty, it is keenly anxious and proportionally solicitous.—The intention of the act is to relieve from unjust custody an accused individual on condition that he offer bail & appear in Court when required. That no man's liberty may be restrained a moment until a charge can be substantiated, the writ may be claimed at any time day or night, and the officers of justice are compelled to yield to it immediate obedience. The weakness of the Habeas Corpus lies in the fact that to insure its rapid action the right of granting it must be vested in many officers. An oath made in circumstances of information, or a false testimony may in an instant wrest from the hands of justice the criminal whom it has required months of labor and expense to secure. Malice may direct it from equity and pollute its purity. And thus in a moment may our greatest blessing become a most hateful curse. It is in this way that the Virgins are especially interested in the question. It is against the Abuse of the Habeas Corpus that the people are called to raise their voice. And if the Virgins can do the people it is through the former that the latter may obtain justice and freedom from the life which oppress and ruin our communities.

We have seen the Habeas Corpus rise a pure gem from the

[August 2, 1851]

chaos of civil war. It was the result of the action of the people against the Constituted authorities. And whenever under any circumstances either from a false affidavit, or a venal application of the writ by an officer of the government its purity is assailed it becomes the People to be jealous of their safeguard and resist its abuse—A peculiar condition of Society may render the unrestrained use of the writ dangerous to the state, and require a controul upon its action. The sad position of our city is not the only example of this state of affairs.— Hystory declares to us that in the wars of the Jacobins state policy required its suspension. And again in 1720, under the reign of George I. and during the wars of England against the french revolution, Pitt found it necessary to prevent the evasion of state prisoners by annulling the abused privelige of freemen. When the danger was passed Parliament restored its prerogative.— Should then the Vig Com deem expedient to oppose the writ in certain instances, the sanction of precedent is in its favor. As regards the corruption and venality which prevail in our own community the existence of this Committee is the evidence of the extraordinary intervention which it has become necessary to employ for their restraint and notwithstanding the disinterestedness and fairness which has as yet characterized all the proceedings of this Association it is yet cavilled at by some as an illegal assumption of power.— The ill will or malice of such detractors has prompted them to annoy and harass the operations of this Committee by every possible means. And the Habeas Corpus Act has certainly been employed in this view. It either remains for this Committee of Vigilance to degenerate into a mere detective police, or for it to liberate its action from the unjust and perverted abuse of the Habeas Corpus. No sooner has it expended its funds and its energy in the detection of crime, than some political meddler, or some opponent of the Association, acting from no high principle of the rights of man, but for mere opposition sake, and from private passion or opinion, by a resort to the Habeas Corpus wrests the criminal from our hands, promotes his evasion or at least denies to the Assⁿ the privilege of using its own volition on handing the accused to the regular authorities, or again, if these motives have not prevailed, some friend of the criminal

[August 2, 1881]

chaos of civil war. It was the result of the action of the people against the constituted authorities. And whenever under any circumstances either from a false allyship, or a weak application of the writ by an officer of the government its party is weakened it becomes the people to be jealous of their safeguard and resist its abuse.—A peculiar condition of society may render the restrained use of the writ dangerous to the state and require a control upon its action. The sad position of our city is not the only example of this state of affairs.—History declares to us that in the wars of the Jacobins state policy required the suspension. And again in 1793, under the reign of George I and during the wars of England against the French revolution, Pitt found it necessary to prevent the evasion of state prisoners by annulling the sacred privilege of freemen. When the danger was passed Parliament restored its prerogative.—Should then the Veto Com beent expedient to oppose the writ in certain instances the sanction of precedent is in its favor. As regards the constitution and remedy which prevail in our own community the existence of this Committee is the evidence of the extraordinary intervention which it has become necessary to supply for their restraint and notwithstanding the distinctness and fairness which has as yet characterized all the proceedings of this Association it is yet cavilled at by some as an illegal usurpation of power.—The bill as matter of such detraction has prompted them to annoy and harass the operations of this Committee by every possible means. And the Habeas Corpus Act has certainly been employed in this view. It either remains for the Committee of Vigilance to degenerate into a mere clerical police, or for it to liberate its action from the unjust and perverted abuse of the Habeas Corpus. No sooner has it expanded its arms and its energy in the detection of crime than some political mischief-maker some opponent of the Association, with some high principle of the rights of man, but for more opposition sake, and from private passion or opinion, by a resort to the Habeas Corpus arrests the criminal from our hands, promotes his evasion or at least denies to the Association the privilege of seeing its own action on handing the accused to the regular authorities or again if these motives have not prevailed some friend of the criminal

[August 2, 1851]

under false pretenses enters a perjured testimony and accomplishes the evil. In many cases more energy and vigilance have been necessary to secure a prisoner from the annoying and vexatious interference of Habeas Corpus than to pursue the criminal to his haunts and arrest him from among his desperate friends and defenders.

Your Committee think such malicious interference unjust and ungenerous. It ill requites the exposure of life and the expenditure of property so willingly lavished for the protection of the public interests,—for the security of life and property. The affidavit of Thompson in the affair of T Belcher Kay is an illustration of our statements, and others in point might be adduced.— In consideration therefore Your Committee would recommend that a due circumspection be exercised to maintain the purity and equity of the application of the Writ of Habeas Corpus.—Administered in equity without suspicion of malice or perjury the most prompt and cheerful acquiescence should be yielded to its requisition— Should evidence appear that any corrupt motive has actuated its issue Your Committee deem it expedient, justifiable, and true to the interests of society to withhold obedience to its mandate so long as may be necessary to discover the evidence, proofs, & motive of the writ.

[Signed] Arthur B Stout

“ W. L. Bromley

“ C. H. Brinley

[Endorsed:] Accepted & placed on file—the thanks of the Com are tendered to Com appointed—Aug 2, 1851

A Oaksmith. Aug 2nd 1851 for leave of absence

Committee of Vigilance Room

San Francisco Aug 2, 1851.

To The Chairman of The Executive Committee

Dr Sir. Being obliged to leave the City on matters of business, which will render it necessary for me to be absent for a considerable length of time, I beg to obtain “*leave of absence*” from the Committee till such time as I can again report myself for duty—

under false pretenses enters a perjured testimony and accuses the evil. In many cases more energy and vigilance have been necessary to secure a prisoner from the annoying and vexatious interference of ill-bred persons than to pursue the criminal to his haunts and arrest him from among his depraved friends and defenders.

Your Committee think each malicious interference unjust and ungenerous. It ill repays the expense of life and the expenditure of property so willingly lavished for the protection of the public interest—for the security of life and property. The affidavit of Thompson in the case of T. Belcher was an illustration of our statements, and others in point might be adduced. In consideration therefore Your Committee would recommend that a due consideration be exercised to maintain the purity and equity of the application of the writ of Habeas Corpus—Admitted in equity without suspicion of motive or perjury the most prompt and cheerful acquiescence should be yielded to its requisition. Should evidence appear that any corrupt motive has actuated its issue Your Committee deem it expedient, justifiable, and true to the interests of society to withhold obedience to its mandate so long as may be necessary to discover the evidence, proceed to a trial of the writ.

[Signed] Arthur H. Stone

W. L. Bromley

C. H. Bellamy

[Endorsed:] Accepted & placed on file—the thanks of the Com are tendered to Com appointed—Aug 2

1851

A. G. Smith, Aug 2nd 1851 for Secy of com.
Committee of Vigilance Room
San Francisco, Aug 2, 1851

To The Chairman of The Executive Committee
Dr Sir: Being obliged to leave the City on business of business, which will render it necessary for me to be absent for a considerable length of time, I beg to obtain "leave of absence" from the Committee till such time as I can again report myself for duty—

[August 2, 1851]

I shall visit previous to my return a great many Cities on this Coast and shall always remember that I am a member of the Vigilance Committee, and shall neglect no opportunity of serving them—

Trusting that the Committee may prosper in their good works
I remain

Very Respectfully

Your Obedt Servt

[Signed] A. Oaksmith

Nº 460

[Addressed:]

To The Chairman of The Executive Committee
Present.

Report of Dr H S Gates in relation to sickness of Prisoners
August 2 1851

San Francisco Aug. 2^d /51

To The Exec. Com^t—

Gent I have vist and prescribed for Adams and Arantrue, prisoners, daily since the receipt of your communication—

Am of the opinion that Adams has feigned much of his sickness—Arentrue has been suffering from nervous excitement—

Both of the above named patients are now convalescent and quite comfortable

Respectfully yours

[Signed] Horatio. S. Gates, M.D.

[Addressed:]

To the Exec. branch of the V. C.

SUNDAY, AUGUST 3, 1851

MINUTES

Minutes Sunday Evening Aug^t. 3rd 1851

Executive Chamber

Sunday Evening 8 OClock P M August 3^d 1851

Present—Payran. Bromley Curtis Schenck. Graham.
Garwood Wadsworth—Oakes

[August 2, 1851]

I shall visit previous to my return a great many cities on this Coast and shall always remember that I am a member of the Vigilance Committee, and shall neglect no opportunity of serving them—

Trusting that the Committee may prosper in their good works I remain

Very Respectfully

Your Obedt Servt

[Signed] A. C. Smith

No 480

[Addressed:]

To the Chairman of the Executive Committee

Present

Report of Dr. H. S. Gales in relation to sickness of prisoners

August 2, 1851

San Francisco Aug 2, 51

To the Exec Com—

Gent I have vis'd and presented for Adams and Armstrong prisoners, daily since the receipt of your communication— Am of the opinion that Adams has injured much of his side— Armstrong has been suffering from nervous excitement— Both of the above named patients are now convalescent and quite comfortable

Respectfully yours

[Signed] Hiram S. Gales M.D.

[Addressed:]

To the Exec. branch of the V. C.

Sunday, August 2, 1851

Minutes

Minutes Sunday Evening Aug 2nd 1851

Executive Committee

Sunday Evening 2 O'clock P. M. August 2, 1851

Present—Perry, Bromley, Curtis, Schmidt, Graham, Garwood, Wadsworth—Gales

[August 3, 1851]

The committee having been called to order by the Chair a further examination of Mc Kenzie was gone into which brought out nothing new.—

On motion of Mr Schenck it was resolved that the Seargent of Arms have the Prisoners room scrubbed & the prisoners washed.—& that the same be continued weekly

on motion the Guard of the prison be removed.—

adjourned to meet tomorrow evening at 7½ OClock

[Signed] Wm C Graham Sect^y

MISCELLANEOUS PAPERS

Mc Kenzie's 2nd Examination. August 3^d 1851

Rob McKenzie. I know a Sch^r called the *Fayaway* at Trinidad, I went from Trinidad to Shasta, I had a Partner by the name of Jerry Long. I deposited my money with Mr Van Wyck at Trinidad. I received the money from him, and owe him some, Bill Moore, Moore went in a Sloop Boat of his own, he had a Dutch Boy with him, and I went in another Sloop Boat took a man with me I forget his name, I worked with a man at Shasta called Bill Williams; a man by the name of Henry Clegg came with me down to Sacramento

August 3^d 1851

[Signed] S Payran

Henry T Fox. Ship Mary Catherine. August 3, 1851

*Ship Mary Catherine*¹

San Francisco August 3. 1851

Gentlemen

With reference to two passengers per this ship from Sydney whose names are Thomas Jones & Emma Jones I beg to state that during the whole time they have been on board about 120 days,

¹ The *Mary Catherine*, Captain Fox, arrived from Sydney August 3, with one hundred passengers (*S. F. Herald*, August 4). An examination of seventy-five persons was reported to the Committee, and of those, four, Thomas and Emma Jones, William Bosworth, and William Rose, were described as ex-convicts. "General Andrew Jackson, an American, from Honolulu" was listed among the passengers examined.

The committee having been called to order by the Chair a further examination of Mr. Kenzie was gone into which brought out nothing new.—

On motion of Mr. Schenck it was resolved that the Sergeant of Arms have the Prisoners rooms scrubbed & the prisoners washed—& that the same be continued weekly
on motion the Guard of the prison be removed—
adjourned to meet tomorrow evening at 7½ O'clock
[Signed] Wm C. Graham Secy

Miscellaneous papers

Mr. Kenzie's 2nd Examination August 3, 1851

Robt M. Kenzie. I know a John called the Ferguson at Trinidad. I went from Trinidad to Shasta. I had a Partner by the name of Jerry Lang. I deposited my money with Mr. Van Wyck at Trinidad. I received the money from him and gave him some. Bill Moore, Moore went in a Sleep Boat of his own, he had a Dutch Boy with him, and I went in another Sleep Boat, took a man with me. I forgot his name. I worked with a man at Shasta called Bill Williams, a man by the name of Henry Clegg came with me down to Sacramento

August 3, 1851

[Signed] S. F. Ryan

Henry T. Fox Ship Mary Catherine August 3, 1851

Ship Mary Catherine

San Francisco August 3, 1851

Gentlemen

With reference to two passengers for this ship from Sydney whose names are Thomas Jones & Emma Jones I beg to state that during the whole time they have been on board about 120 days.

The Mary Catherine, Captain Fox, arrived from Sydney August 3, with one hundred passengers (23 M. & 77 F.). An examination of seventy-five persons was reported to the Committee and of those forty Thomas and Emma Jones, William Harwood, and William Ross were described as ex-convicts. General Andrew Jackson an American from Honolulu, was listed among the passengers examined.

[August 3, 1851]

their behavior has been most quiet and orderly and I consider them a very respectable couple

I am, Gentlemen

your obedient serv^t—

[Signed] Henry T. Fox

Master M. C.

Statement of Mr Adams August 3^d 1851

Sunday Morning August 3^d 1851

Examination of Adams

Previous to the time of Stevensons Burglary I had no regular employment at my profession, but was engaged in making some little alterations in M^{rs} Regan's House where I was living, Watkins called on Gamble (with whom I was acquainted) for some assistance in relation to Stevensons office Gamble's wife being just confined with a child Gamble sent Watkins to me, Watkins asked me if I had a key or two to lend me, he told me that he had a Person outside who was going to put up a place to him on Long Wharf, I told Watkins to introduce him, Watkins then brought him in and introduced him it was Marks²—I asked them what sort of keys they wanted, I took out of a chest about a dozen or two of keys, they picked out one key, I got in conversation with Marks about Co^l Stevenson's office on Long Wharf, he told me that he had been under clerk there for some time, that Stevenson had used him ill, had turned him off, and kept him (Marks) on a string promising to get him a situation, therefore he was determined to rob him, he said there were two safes, a Large and a small one in which there was much money, about 50 or 60000, and could easily be had, he said the keys were hanging over the safe, I asked him who the clerk was, he said a Person by the name of Reynolds, we asked Marks if Mr Reynolds did not take the keys away with him, he said No, for the keys were large ones, and Mr Reynolds being in the habit of going to the Parker House every evening to play Billiards and could not take the keys in his Pockets Marks & Watkins then left me, Marks came to me the next Morning, he told me that he had then but just come from Stevenson's office, I asked him him

² See note 4, p. 208.

[August 3, 1871]

their behavior has been quiet and orderly and I consider them a very respectable couple

I am, Gentlemen

Your obedient servant

(Signed) Henry T. Fox

Master M. C.

Statement of Mr. Adam August 3, 1871

Sunday Morning August 1, 1871

Examination of Adam

Previous to the time of Stevenson's burglary I had no regular employment at my profession, but was engaged in making some little alterations in Mr. Hagan's House where I was living. Watkins called on Gamble (with whom I was acquainted) for some assistance in relation to Stevenson's office. Gamble's wife being just confined with a child Gamble sent Watkins to me. Watkins asked me if I had a key or two to lend me, he told me that he had a person outside who was going to put up a place to him on Long Street. I told Watkins to introduce him. Watkins then brought him in and introduced him. It was Mark. I asked them what sort of keys they wanted. I took out of a chest about a dozen or two of keys, they picked out one key. I got in conversation with Mark about Co. Stevenson's office on Long Street. He told me that he had been under there for some time that Stevenson had used him. He had turned him off, and kept him (Mark) on a string promising to get him a situation. Therefore he was determined to rob him. He said there were two safes, a large and a small one in which there was much money hanging over the safe. I asked him who the clerk was he said a person by the name of Reynolds. We asked Mark if Mr. Reynolds did not take the keys away with him, he said No, the keys were large ones and Mr. Reynolds being in the habit of going to the Parker House every evening to play billiards and could not take the keys in his pocket. Mark & Watkins then left me. Mark came to me the next morning. He told me that he had then but just come from Stevenson's office. I asked him

[August 3, 1851]

if Watkins had tried the keys over night, Marks said he did not know, he said that *Co' Stevenson had received more money*, Marks was very urgent for me to go down to rob the place I asked Marks his motive for being in such a hurry, he said that Col Stevenson was from home and being shortly expected, feared the money might be shifted, he said it might be well for me to speak so, as I had a table to go to—but it was different from him, that he had not had anything to eat for two or three days, I gave Marks some Port Wine and gave him Five dollars, he went away, he came again at night, I asked him to take some wine, while I was at Tea, as I got through Tea, Watkins came in, I asked Watkins if he had tried the keys he said no, that he had altered the key and would go down and try it then, previous to this Marks had taken the impression of the key of the front Door on a piece of soap, brought it to Watkins, & myself well all went down to Stevensons Office met Seymour on the road, also Francis Brier, we went to the front door (Watkins & myself) and put the key in, opened the door and went in, I shut the door and stood below, Marks stood outside with Brier & Seymour Watkins went upstairs tried the office door, found it locked, came down and told us, Marks said that he would either have the door left open, or get the impression on wax, we all went away, and some days elapsed, Marks called every day to see me complaining, *he got another five dollars from me*, he got some few dollars from Watkins, in the meene time he got the impression of the key of the Office door gave it to Watkins, Watkins got a key to suit that impression, Marks said that Saturday night was the proper time to rob the place; he was very anxious to go on Saturday night, he was so urgent that I suspected him I again asked him his motive for being so anxious he pleaded poverty, he said Mr Reynolds was a Free Mason and this being Lodge Night, he would be away longer, I declined going that night and went home, Marks & Seymour went together and Watkins & myself went home together I never spoke to Seymour before this transaction, Watkins & myself talked the matter over, I questioned Watkins as to the character of Marks & Seymour he gave me to understand that I might make myself easy on that account, for he had had transactions with Marks and Sey-

[August 2, 1851]

if Watkins had tried the keys over night, Marks said he did not know, he said that Col Stevenson had received more money, Marks was very urgent for me to go down to rob the place. I asked Marks his motive for being in such a hurry, he said that Col Stevenson was from home and being shortly expected, feared the money might be shifted, he said it might be well for me to speak so, as I had a table to go to—but it was different from him, that he had not had anything to eat for two or three days, I gave Marks some Port Wine and gave him Five dollars, he went away, he came again at night, I asked him to take some wine, while I was at tea, as I got through tea, Watkins came in, I asked Watkins if he had tried the keys—he said no, that he had altered the key and would go down and try it then, previous to this Marks had taken the impression of the key of the front door on a piece of soap, brought it to Watkins & myself—well, all went down to Stevenson's Office—just before we went to the front door (Watkins & myself) and put the key in, opened the door and went in, I shut the door and stood below, Marks stood outside with Brier & Seymour, Watkins went upstairs—tried the office door, found it locked, came down and told us, Marks said that he would either have the door left open, or get the impression on wax, we all went away, and some days elapsed, Marks called every day to see me complaining, he got another five dollars from me, he got some law dollars from Watkins, in the mean time he got the impression of the key of the Office door gave it to Watkins, Watkins got a key to suit that impression, Marks said that Saturday night was the proper time to rob the place; he was very anxious to go on Saturday night, he was so urgent that I suspected him—I again asked him his motive for being so anxious—he showed poverty, he said Mr Reynolds was a Free Mason and that being Lodge Night, he would be away longer, I desisted going that night and went home, Marks & Seymour went together and Watkins & myself went home together—I never spoke to Stevenson before this transaction, Watkins & myself talked the matter over, I questioned Watkins as to the character of Marks & Seymour, he gave me to understand that I might make myself easy on that account, for he had had transactions with Marks and Sey-

[August 3, 1851]

mour, Watkins said Marks, himself and Seymour had robbed a coining place, on the Wharf next to the Long Wharf no more was said that night

On Sunday night following Watkins, Marks, Seymour, & myself went down to Stevensons again, we waited about there a half hour, when Brier came and stood at the corner Marks, & Seymour stood at the Door, Watkins & myself went in, Watkins went up Stairs, and opened the Door I do not think he opened it with any key, I think the door was unlocked, he had scarce got in before we heard a rumbling noise & voices, The noise & voices told us that we were betrayed, I sat down on a Sopha & Watkins on a chair, there were persons on the outside threatening—I told them to come in and not alarm themselves, Mr Reynolds and four or five more rushed in with Pistols in their hands, I had Pistols in my Pockets, but did not offer to use them

I knew that I had no business there, Mr Reynolds asked what business we had there, Watkins replied that we wanted to see Col Stevensons, the Constables took us away to the City Hall, Seymour, Brier & Marks made their escape, Marks afterward told the Constables were they could find Seymour & Brier, the officers took my watch and money from me, and I have not seen them since, kept me confined in Jail a long time for Trial, and I then endeavored to make my Escape, the Constables took over \$480 from me, they told me that they had given Wilder part of the money as being stolen from him, I never stole a dollar from Wilder, I had this money given to me by different individuals to go away with William Hughes gave me \$20, Mr Morris gave me \$50—Mr James Low gave me \$20—Patrick Sinclair gave me \$20, Schimunelson is a Jew kind of Trader Mr Nelson gave \$20. Mr Austin gave me \$10, Mrs Clare gave me \$50 T. B. Kay sent me \$20, they gave this money after I broke Jail the first time, and it was taken from me after my second arrest,

I loaned a great many Tools to Edwards to effect the robbery of Minturns place which I lost he promised to give me part of the Plunder, I never went with them to attempt the robbery—Edwards said there were a great many engaged in that affair he mentioned Briggs & Lowe, and that was the reason why he

[August 3, 1931]

more, Watkins said Mark, himself and Seymour had robbed a coinage place on the Wharf next to the Long Wharf. No more was said that night.

On Sunday night following Watkins, Mark, Seymour & myself went down to Stevenson again, we waited about three half hour, when Brier came and stood at the corner. Mark & Seymour stood at the door, Watkins & myself went in. Watkins went up stairs and opened the door. I do not think he opened it with any key, I think the door was unlocked, he had some get in before we heard a rushing noise & voices. The noise & voices told us that we were betrayed, I sat down on a sofa & Watkins on a chair, there were persons on the outside threatening—I told them to come in and not alarm themselves. Mr. Reynolds and four or five more rushed in with pistols in their hands, I had pistols in my pockets but did not offer to use them. I knew that I had no business there, Mr. Reynolds asked what business we had there, Watkins replied that we wanted to see Col. Stevenson, the Constables took us away to the City Hall. Seymour, Brier & Mark made their escape. Mark afterwards told the Constables were they could find Seymour & Brier the officers took my watch and money from me and I have not seen them since. kept me confined in jail a long time for trial and I then endeavored to make my escape, the Constables took over \$150 from me, they told me that they had given Wilbur part of the money as being stolen from him. I never stole a dollar from Wilbur. I had this money given to me by different individuals to go away with. William Hughes gave me \$20, Mr. Jarvis gave me \$50—Mr. James Low gave me \$50—L'Etich Stedman gave me \$20. Schumacher is a Jew kind of trader. Mr. Nelson gave \$20. Mr. Austin gave me \$10. Mr. Clark gave me \$50. T. B. Kay sent me \$20, they gave this money after I broke jail the first time, and it was taken from me after my second arrest.

I loaned a great many tools to Roberts to assist the robbery of Minturn place which I lost. he promised to give me part of the plunder, I never went with them to attempt the robbery. Edwards said there were a great many engaged in this affair. he mentioned Briggs & Jones, and that was the reason why he

[August 3, 1851]

did not want me—at the time I used my Tools I lived at Mr^s Regans—Nelson is the Boy Welsh—Mr Austin is the man who gave me the Boat, Lowe's character is bad as to honesty—he was engaged in the robbery at Monterey, Morris is the man Morgan, Mrs Clare keeps a Public House just above Broadway on a Street below the Jail,

Attest

S Payran

MONDAY, AUGUST 4, 1851

MINUTES

Minutes Monday Evening Augt 4th 1851

Executive Committee room

Monday evening August 5th 1851.

Present Ryckman Gorham Garwood Schenck

Bluxome Graham—Oakes. Wadsworth

the meeting being called to order Mr Ryckman took the chair—

Resolved that hereafter no arms be loaded in the Committee room & that the Sect^y be requested to inform the Sergt at Arms of the same.—

The president having arrived took the Chair when Mr Brangan was put upon his examination as per record.—

The report of D J Thomas jr in respect to removing John Arrentree was read accepted & placed on file.—

An order was issued to bring before this Committee one Larrentree at 10 OClock tomorrow.—

Ordered that a Committee of one be appointed to proceed to Stockton to bring down Mr^s Harriet Gardner.¹

A letter was rec^d from Mr Wilson Smith Sect^y of Committee at Marysville with a description of W^m Sumpter. ordered that the description be recorded a copy handed to Cap of Police & letter placed on file—

Adjourned to meet at 10 OClock tomorrow morning

[Signed] W^m C Graham Sect^y

¹ For the expenses of the arrest of Harriet, see voucher No. 41, p. 781.

San Francisco Committee on Vigilance of 1851 413
 [August 5, 1851]
 did not want me—at the time I used my tools I lived at Mr.
 Hoggans—Nelson is the boy Welsh—Mr. Austin is the man who
 gave me the Post, Love's character is bad as to honesty—he was
 engaged in the robbery at Monterey, Morris is the man Morgan,
 Mr. Chase keeps a Public House just above Broadway on a Street
 below the Jail.

Alfred

B. Payson

Monday, August 5, 1851

Minutes

Minutes Monday Evening Aug 5th 1851

Executive Committee room

Monday evening August 5th 1851

Present Ryckman Graham Garwood Schuch

Absent Ryckman Graham—Oakes Washburn

The meeting being called to order Mr. Ryckman took the chair—
 Resolved that hereafter no arms be loaded in the Committee
 room & that the Sects be requested to inform the Sects at Arms
 of the same.—

The President having arrived took the Chair when Mr. Ryckman
 gave was put upon his examination as per record.—

The report of D. J. Thomas Jr in respect to removing John
 Arventine was read accepted & placed on file.—

An order was issued to bring before this Committee one Jar-
 ventine at 10 O'clock tomorrow.—

Ordered that a Committee of one be appointed to proceed to
 Stockton to bring down Mr. Harriet Garwood.

A letter was recd from Mr. Wilson Smith Secy of Committee
 at Marysville with a description of Wm Sumpter ordered that
 the description be recorded a copy handed to Cap of Police
 & letter placed on file.—

Adjourned to meet at 10 O'clock tomorrow morning

[Signed] Wm C Graham Secy

For the expenses of the given at Harriet see voucher No. 41, p. 751

[August 4, 1851]

MISCELLANEOUS PAPERS

[*Report of D. J. Thomas, Jr. Case of Arrentrue*]

Gentlemen

Knowing that a writ had been issued for Arrentrue I in connection with Marshal Haven directed & superintended the removal of the Prisoner Arrentrue & *allowed the sheriff* after such removal *to search our premises*

The prisoner is now where we took him from

[Signed] D J Thomas jr

Marshal No 4

Aug 4/1851

[*Report in the Case of Jonathan Ellis*]

D Edward Burnett about 5ft 10 in light brown hair, sal-low complexion, long light whiskers—upper lip shaved, greyish eyes, small nose, mouth rather large, lisps in talking, peculiarly—Medium body, large limbs—

Johnathan Ellis was found in this city & there not being sufficient grounds for his arrest & confinement, his person & baggage were examined by me by his own consent & nothing to excite suspicion found—

He puts up at the Phoenix House, Broadway below Montgomery—the above is the description of the man who accused him of the theft, and whom Ellis says must be the guilty person—

[Signed] Rodmond Gibbons

No 404

San Francisco Aug 4th 51

[*Letter from Joel Noah*]

Sacramento City Cal Aug 4/51 4 P. M.

To the President & Members of the Executive Committee of the Vigilance Committee of San Francisco

Gentlemen It was my intention to send this letter by Mr Jones to day. It was in consiquence of my not arriving in town in time for the boat. I therefore embrace the first opportunity. I regret to inform you that a gentleman by the name of Caloon²

² Reuben Calhoun, V. C. 620.

[Report of D. J. Thomas, Jr. Case of Assassination]

Gentlemen

Knowing that a writ had been issued for Assurances I in connection with Marshal Elliott's dissection & superintended the removal of the Prisoner Assurances & showed the sheriff after such removal to reach our presence

The prisoner is now where we took him from

[Signed] D. J. Thomas Jr.
Marshal No 4

Aug 4 1851

[Report in the Case of Jonathan Ellis]

D Edward Burnett about 5 ft 10 in light brown hair, low complexion, long light whiskers—upper lip shaved, eyelashes eyes, small nose, mouth rather large, nose in falling forehead—Medium body, large hands—

Jonathan Ellis was found in the city & there not being sufficient grounds for his arrest & commitment his person & baggage were examined by me by his own account & nothing to excite suspicion found—

He puts up at the Phoenix House Broadway below Mont gomery—the above is the description of the man who accused him of the theft, and whom Ellis says must be the guilty person—
[Signed] Richmond Gibson

No 404

San Francisco Aug 4th 51

[Letter from John W. Hall]

Sacramento City Cal Aug 4 51 & P. M.

To the President & Members of the Executive Committee of the Vigilance Committee of San Francisco

Gentlemen—It was my intention to send this letter by John Jones to day. It was in consequence of my not arriving in town in time for the boat. I therefore submit the first opportunity I regret to inform you that a gentleman by the name of Captain

* Boston Herald, N. C. 1851

[August 4, 1851]

representing himself a member of the "*Vigilance Committee*" in San Francisco and assuming the title of "Marshall" detailed for the duty in Sacramento has had a verry serious difficulty with the principal Marshall (Mr White) of this city,—likewise has brought serious charges against one or two of his officers and has threatened to arrest them. He asserts that he has the papers and authority from your *honorable body* to execute the same.

Mr White informs me that his officers have exerted themselves beyond their ordinary duty to assist Mr Rhodes that able and efficient officer of our Vigilance Committee in arresting those criminals that your honorable body have in possession.

They declair at the same time they will do all that lays in their power for the "*Executive Committee*" of San Francisco but will not receive any instruction from Mr Caloon but will assist me or Mr Rhodes as far as lays in their power

As a proof of their cincerity Marshall White dispatched an officer with Mr Rhodes to Marysville on the shortest possible notice. At the same time Mr Rhodes requested me to place myself under the detail of Marshall White and they would give me every assistance in Mr Rhodes absence that lay in their power. I suggested to Mr Rhodes and Mr White to apply for a detail of men from the Committee of Sacramento Mr Beard being their President. He granted me five men and Marshall White gave me Mr Maxwell the *Chief of Police* and another to go with me down the river

The Sacramento Viligence Committee hired a "*Steam Tug*" to take us down and was under the controll of the *Chief of Police* that able and efficient officer. I am pleased to inform you that I never saw any men exert themselves more than they did in the arduous and severe duty We started on Sunday at 4. P. M. and operated on both sides of the river in every *Slough* and *Creek* and every opening that we could think or imagine that criminals such as Whiticker and Rhoen would conceal themselves. In coming up the river this morning at 9. A. M. we discovered an opening and pushed our boat for it Up the opening on the bank we discovered two log houses, entered them as usual and made strict enquiry of the above named men and according to the description of them they must be the same she informed

[August 4, 1851]

representing himself a member of the "Whig Committee," in San Francisco and assuming the title of "Marshall," detailed for the duty in Sacramento has had a very serious difficulty with the principal Marshall (Mr. White) of this city—thereby has brought serious charges against one or two of his officers and has threatened to arrest them. His course that he has the papers and authority from your honorable body to execute the same.

Mr. White informs me that his officers have executed themselves beyond their ordinary duty to assist Mr. Rhodes that able and efficient officer of our Vigilance Committee in arresting those criminals that your honorable body have in possession.

They desire at the same time they will do all that lays in their power for the "Executive Committee" of San Francisco but will not receive any instructions from Mr. Rhodes but will assist me or Mr. Rhodes as far as lays in their power.

As a proof of their sincerity Marshall White dispatched an officer with Mr. Rhodes to Marysville on the shortest possible notice. At the same time Mr. Rhodes requested me to place myself under the detail of Marshall White and they would give me every assistance in Mr. Rhodes absence that lay in their power. I suggested to Mr. Rhodes and Mr. White to apply for a detail of men from the Committee of Sacramento Mr. Rhodes being their President. He granted me five men and Marshall White gave me Mr. Maxwell the Clerk of Police and another to go with me down the river.

The Sacramento Vigilance Committee hired a "Steam Tug" to take us down and was under the control of the Clerk of Police that able and efficient officer. I am pleased to inform you that I never saw any men exert themselves more than they did in the arduous and severe duty. We started on Sunday at 4 P. M. and operated on both sides of the river in every covey and Creek and every opening that we could think or imagine that criminals such as Whitaker and Rhoads would conceal themselves. In coming up the river this morning at 8 A. M. we discovered an opening and pushed our boat for it. In the opening on the bank we discovered two log houses, entered them as usual and made strict enquiry of the above named men and according to the description of them they must be the same. We informed

[August 4, 1851]

us that they came to her house Saturday, had went aboard a steam boat and not having money the *captain* put them ashore—that was their statement. She judging from their appearance did not believe them. She informed us that she gave them no encouragement and they departed on their way down the river as she supposed. After they examined all the premases and the country around as far as practable but could not discover any traces of them. Too much praise cannot be bestowed on the Marshall (*Mr White*) and his *Chief of Police* and their assistants for the able manner they performed the duty allotted to them and rendering the Viligence Committee of San Francisco.

Gentlemen I regret to inform you that I cannot concistantly suffer myself to be detailed for duty by Mr Caloon in the absence of Mr Rhodes—therefore sooner than to have any misunderstanding with your honorable body I would rather have my name and number cut off your roll. I have been on duty ever since I arrived in this city and performed the arduous duty that could fall on any member of your Committee. I have not averaged in the nearly two weeks scarcely two hours sleep of a night, but have done my duty faithfully and honorable as a gentleman and a man therefore I do not wish to be detailed under the authority of Mr Caloon but am always willing to perform any duty that Mr Rhodes or your honorable body might think fit to assign to me. I have mentioned circumstances of part of this letter to Mr Jones—He was visiting Sacramento City and I promised to send a letter to the Committee by him but by not arriving in time for the boat I embraced this opportunity to send by express.

Verry respt^y yours

Joel Noah

521

Viligence Committee San Francisco

Sac City

C Bohrer. San Francisco August 4. 1851

San Francisco Cal^a

August 4th 1851

To The Executive Committee

Gentⁿ Being one of Three who volunteered to proceed on board the English Ship "*Mary Catherine*" from Sydney I was

board the English ship "Mary Catherine" from Sydney. I was
Gent. Being one of those who volunteered to proceed on
To The Executive Committee

August 4th 1851
San Francisco Cal.
C. Webster, San Francisco August 1, 1851

Vigilance Committee San Francisco
San City

521
Noah

Very respectfully
Yours

for the boat I embraced this opportunity to send by express
send a letter to the Committee by him but by not arriving in time
Mr Jones—He was visiting Sacramento City and I promised to
me. I have mentioned circumstances of part of this letter to
Mr Rhodes or your honorable body right think it is to assign to
of Mr Calson but am always willing to perform any duty that
a man therefore I do not wish to be detailed under the authority
have done my duty faithfully and honestly as a gentleman and
the nearly two weeks scarcely two hours sleep of a night, but
fall on any member of your Committee. I have not averaged in
I arrived in this city and performed the arduous duty that could
and number out of your roll. I have been on duty ever since
standing with your honorable body. I would rather have my name
sence of Mr Rhodes—therefore sence than to have any misunder-
suffer myself to be detailed for duty by Mr Calson in the ab-
Gentlemen. I regret to inform you that I cannot consistently
rendering the Vigilance Committee of San Francisco.

for the able manner they performed the duty allotted to them and
Marshall (Mr White) and his (Mr) of Police and their assistants
traces of them. Too much praise cannot be bestowed on the
country around as far as practicable but could not discover any
she supposed. After they examined all the premises and the
encouragement and they departed on their way down the river as
did not believe them. She informed us that she gave them no
that was their statement. She judging from their appearance
steam boat and not having money the captain put them ashore—
as that they came to her house Saturday had went aboard a
[August 4, 1851]
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ACADEMY OF FINE ARTS HISTORY

[August 4, 1851]

ordered on my arrival to take charge of certain prisoners on board said Ship, which I did, being on deck & below at various times, until the watch was set. The first watch was taken by Capt Tufts, while I was turned in, Capt Clark boarded said ship, and stated that he had orders from Chief of Police to take charge of her, which he did, setting his own guard at the same time, *consequently he was Officer in charge*, (according to his statement,) on examination this morning however two prisoners (& convicts) were not to be found, a search was instantly made by myself in person, but without success. Capt Clark left the ship this morning leaving on board said ship & without a guard two convicts: viz: John Jones & Emma his wife. My most particular object in making this report is to ascertain of your Body, *who is the responsible party* for the escape of the two Convicts *W^m Rose & W^m Bosworth?* at the same time I do not know where they went, or how they went. The enclosed orders³ were rec^d by me from the Secretary, the 1st at the time of leaving, the 2nd was brought to me by the Boatman at the time of Capt Clarks arrival.

Yours Truly

[Signed] C. Bohrer

631 V. C.

To J. Payran Esq Pres Ex. Committee
C of Vigilance

TUESDAY, AUGUST 5, 1851

MINUTES

*Minutes Tuesday Evening Augt 5th 1851*Tuesday Morning August 5th 1851

Executive Chamber

Present. Payran & Graham

There being no quorum, the President went into a private examination of Augustus Laurentree, as pr record

Adjourned to meet this evening at 7½ oclock

[Signed] W^m C Graham Sect^y

³ The Orders are missing.

[August 4, 1851]

ordered on my arrival to take charge of certain prisoners on board said ship, which I did, being on deck & below at various times until the watch was set. The first watch was taken by Capt. Telfer, while I was turned in. Capt. Clark boarded said ship, and stated that he had orders from Chief of Police to take charge of her, which he did, setting his own guard at the same time, consequently he was Officer in charge, (according to his statement,) on examination this morning however two prisoners (& convicts) were not to be found, a search was instantly made by myself in person, but without success. Capt. Clark left the ship this morning leaving on board said ship & without a guard two convicts: viz: John Jones & Thomas his wife. My next particular object in making this report is to ascertain of your body who is the responsible party for the escape of the two convicts Wm. Rose & Wm. Roseworth at the same time I do not know where they went or how they went. The enclosed orders were sent by me from the Secretary, the 1st at the time of leaving the ship was brought to me by the Boatman at the time of Capt. Clark's arrival.

Yours Truly,

(Signed) C. Baker

231 V. C.

To J. Payson Esq. Pres. Ex. Committee

C of Vigilance

THURSDAY AUGUST 5, 1851

MINUTES

Minutes Tuesday Evening Aug 29 1851

Tuesday Morning August 30 1851

Executive Committee

Present: Payson & Graham

There being no quorum the President went into a private

examination of Augustus Lawrence as per report

Adjourned to meet this evening at 7 1/2 o'clock

(Signed) Wm. C. Graham Secy

The Orders are hereby

[August 5, 1851]

Tuesday Evening August 5th 1851.

Present Payran, Ryckman, Oaks, Schenck Curtis
Graham Huie Wadsworth Gorham, Woodworth,
Bluxome & Mellus.

Thomas Jones & Emma his wife were brought before the Committee from the Ship *Mary Catherine* from Sydney and examined, they both acknowledged having been transported for petty offences & had served out their regular term,—from all facts that the committee were able to obtain as to their good character—moved that they be allowed to depart subject to the call of this Committee at any time—

On motion a committee of two was appointed consisting of Mess^{rs} Wadsworth & Huie to wait upon the Sergeant of Arms¹ & request him to resign & state to him the reasons.—The Committee after being absent a short time returned & stated they had waited upon the Sergt. at Arms & begged to report, that he has pledged himself to abstain in future from the faults complained of under a penalty of a discharge—report accepted and Committee discharged.—

A motion to strike out the name of Adams from the report of Ex. Com. to the Gen^l Com, recommending him to be handed over to the Authorities—lost Ayes. Ryckman. Oaks. Schenck. Graham. Payran. & Curtis No's Huie. Wadsworth. Gorham. Woodworth, Bluxome. & Mellus

On motion the report as drawn recommending Adams & Arrentrue to be handed to the Authorities—David Earle to be retained & Hayes to be sent out of the Country never to return—lost—Ayes—Mellus, Woodworth, Bluxome, Gorham, Wadsworth & Huie No's—Ryckman Oaks, Schenck, Curtis, Graham, & Payran

A communication was rec^d from W^m Webster enclosing a draft for Fifty dollars for the use of the Vigilance Committee, which was accepted & the Secretary instructed to return him the thanks of the Committee for the Sum.—

A Communication was rec^d from I Bluxome jr with a request from W^m Dennis for permission to collect funds from his friends for the use of the Committee—Granted—

¹ A. J. McDuffee was sergeant-at-arms. He resigned August 29 (p. 571).

for the use of the Committee—Ordered—

A communication was read from J. Johnston in which he expressed his regret that he was unable to attend the meeting of the Committee on the 25th.

Thanks of the Committee for the same.

Which was accepted & the Secretary instructed to return him the draft for Fifty dollars for the use of the Freedmen's Committee.

A communication was read from W. Webster in which he

expressed his regret that he was unable to attend the meeting of the

Committee on the 25th.

Thanks of the Committee for the same.

Ordered—

On motion the report on the case of Adams from the report

of the Committee on the 25th was accepted & the Secretary instructed

to return him the draft for Fifty dollars for the use of the Freedmen's

Committee.

Ordered—

A motion to strike out the name of Adams from the report

of the Committee on the 25th was accepted & the Secretary instructed

to return him the draft for Fifty dollars for the use of the Freedmen's

Committee.

Ordered—

A motion to strike out the name of Adams from the report

of the Committee on the 25th was accepted & the Secretary instructed

to return him the draft for Fifty dollars for the use of the Freedmen's

Committee.

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of the Committee on the 25th was accepted & the Secretary instructed

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Committee.

Ordered—

A motion to strike out the name of Adams from the report

of the Committee on the 25th was accepted & the Secretary instructed

to return him the draft for Fifty dollars for the use of the Freedmen's

Committee.

Ordered—

A motion to strike out the name of Adams from the report

of the Committee on the 25th was accepted & the Secretary instructed

to return him the draft for Fifty dollars for the use of the Freedmen's

[August 5, 1851]

A motion was made to recommend to the Gen^l Committee to hand over to the Authorities the man Adams—Lost.—

Resolved, that John Arrentrue be handed to the Authorities that David Earle be retained & that Hayes be sent out of the Country never to return Gen^l Committee concurring—Carried

Resolved, that in the Case of Adams the Ex. Com. submit his case without comment to the Gen^l Committee—Carried

No further business being before the Committee adjourned to Gen^l Committee room.—

[Signed] W^m C Graham Sect^y Ex Com

Minutes of Genl Meeting Aug 5, 1851

Mr F Woodworth in the Chair

Minutes of previous meeting read & approved

Further statement of George Adams (Burglar) read together with new evidence whole testimony in this case read—

The Ex Com report that they are anxious to keep David Earle in order to obtain further testimony in his case—

The Ex Com report that in the matter of Hays that he be sent out of the State never to return carried—

The Ex Com report, that in the matter of John Arentrue—the Grand Jury having found two true bills against him—recommend that he be given to the Civil Authorities— Adopted

That Adams be handed over to Civil Authorities lost

On motion Mr Brannan

Resolved That we now adjourn to meet tomorrow at 10 O'Clock to meet at the sound of two bells—

MISCELLANEOUS PAPERS

[*Resolution*]

Whereas J L Bleakley has been dismissed from this Committee, through some mistake, and without cause, as far as has been ascertained, and having always been considered heretofore a good and efficient member, of said Committee

Be it therefore *Resolved* that the said Bleakley be admitted as a Member, and that his name be stricken from the list

A motion was made to recommend to the Genl Committee to hand over to the Authorities the man Adams—lost—
Resolved, that John Armstrong be handed to the Authorities that David Earle be retained & that Hayes be sent out of the Country never to return Genl Committee concurring—Carried
Resolved, that in the Case of Adams the Ex Com submit his case without comment to the Genl Committee—Carried
No further business being before the Committee adjourned to Genl Committee room—
[Signed] W^m C Graham Secy Ex Com

Minutes of Genl Meeting Aug 5, 1851

Mr E Woodworth in the Chair
Minutes of previous meeting read & approved
Further statement of George Adams (Bourcier) read together with new evidence whole testimony in this case read—
The Ex Com report that they are anxious to keep David Earle in order to obtain further testimony in the case—
The Ex Com report that in the matter of Hayes that he be sent out of the State never to return carried—
The Ex Com report that in the matter of John Armstrong the Grand Jury having found two true bills against him—meaned that he be given to the Civil Authorities—Adopted
That Adams be handed over to Civil Authorities lost
On motion Mr Brannan
Resolved That we now adjourn to meet tomorrow at 10 O'Clock to meet at the sound of two bells—

MINUTES OF THE

[Continued]

Whereas J. I. Bleasly has been identified from the Committee through some mistake and without cause as far as has been ascertained and having always been considered trustworthy a good and efficient member of said Committee
Be it therefore Resolved that the said Bleasly be admitted as a Member and that his name be stricken from the list

[August 5, 1851]

of delinquents, and that the Sergeant at Arms, be instructed accordingly to admit him,

Nº 181 F A Atkinson

San Francisco Augt 5th /51

[Annotated:] Move its reference to the Executive Committee

Order to W^m Bohrer for W^m Jones & others

Mr Bohrer

You are required to arrest & bring before the Executive Committee Wm Jones & Emma his wife

W^m Bosworth, W^m Rose now on Board the Ship *Mary Catherine* or wherever elsewhere they may be found, with all Baggage belonging to them

Done by order of the

Executive Committee

August 5/51

[Signed] S Payran

Presdt of Ex of C

Notify the Capt of the Ship to appear at 7. Oclock this Evening before the Vigilance Committee

[Endorsed:] I repaired aboard ship *Mary Catharine* & brought off Emma Jones, W^m Jones was ashore at the time.

[Signed] C Bohrer

631 V. C.

[Report of Executive Committee Relating to Hays and Arrentrue]

Executive Chamber

August 5th 1851

In the matter of Hays Committee report that he be sent out of the Country never to return.

In the matter of J. Arrentrue Committee report that the Grand Jury have found two true Bills and recommend that he be turned over to the constituted authorities.

[Signed] S Payran

Presdt

[August 5, 1851]

of defendants, and that the Sergeant at Arms be instructed accordingly to admit him.

No 181 P. A. Atkinson

San Francisco Aug 30 1851

[Annotated:] Move its reference to the Executive Committee

Order to W. H. Baker for W. Jones & others

Mr Baker

You are required to arrest & bring before the Executive Committee Wm Jones & Emma his wife
Wm Bosworth, Wm Rose now on board the Ship Mary Catherine or wherever elsewhere they may be found with all baggage belonging to them

Done by order of the

Executive Committee

August 5, 51

[Signed] S. Payson

Friends of E. & C.

Notify the Capt of the Ship to appear at 7 O'clock this Even-

ing before the Vigilance Committee

[Rebanded:] I repaired aboard ship Mary Catherine &

brought off Emma Jones, Wm Jones was absent at the time

[Signed] O. Baker

631 V. C.

(Report of Executive Committee Relating to Hays and

Atkinson)

Executive Committee

August 20 1851

In the matter of Hays Committee report that he be sent out of the County never to return.

In the matter of J. Atkinson Committee report that the Grand Jury have found two true bills and recommend that he be turned over to the constituted authorities.

[Signed] S. Payson

Present

[August 5, 1851]

[Case of J. J. Arenttrue]

To My Friends in the Mines

San Francisco Aug 5/51

To Mr Geo Bingham. Joseph Fortner Chas O Donnell, Isaac Hare, Seth Simmons, and Boy Daniel Blair

If this advertisement should meet the Eyes of any of you or all of you do hasten to San Francisco with all possible despatch, your Evidence will be of the greatest importance One of the most unfounded, black and malicious charges has been brought against me and sworn to upon Oath charging me with having intent to murder & rob a man in the Mines do for god sake if you Men are return with all haste as My future depends upon your testimony

Yours Truly

[Signed] Jno J Arenttrue

Geo W Barton Esq

Dr Sir. Will it be prudent to publish the above in the paper's, I have already written to them, but fearful the letters may miscarry, such a notice might meet their Eye, I would call & see you but am confined I am very handsomely treated by the Gentlemen in whose hands I am, and would be well satisfied if it were not for the great difficulty I find in communicating with my friends.²

Committee of Vigilance Room

Augt 5th/51

Mr Jos Fortnor

Dr Sir I hope in God's name when this comes to hand you will not delay, and return to San Francisco with all possible despatch, I am in one of the most unpleasant situations a Man could be placed in, and all thr'o having afforded—Bingham, Yourself, Hare, and Daniel, assistance in getting away to the mines, it is said and sworn to upon oath that I have sent you all up into the mines to rob & commit murder Now for mercy sake do return, or my life may be sworn away—I have no money to send you to pay your Expenses or I would send it to you, but borrow enough & I will pay you when here, I am under con-

² These letters have not been found in the contemporary newspapers.

(Case of J. J. Axtell)

To My Friends in the Mines

San Francisco Aug 2d 51

To Mr Geo Bingham, Joseph Fortner, (Thos O'Donnell, James
Hare, Seth Shinnick, and Roy Daniel Dicks

If this advertisement should meet the Eyes of any of you or
all of you do hasten to San Francisco with all possible dispatch,
your Evidence will be of the greatest importance. One of the
most unaccounted, black and malicious charges has been brought
against me and sworn to upon Oath charging me with having
intent to murder a man in the Mines do for God sake if
you Men are return with all haste as My future depends upon
your testimony

Yours Truly

[Signed] J. J. Axtell

Geo W Barton Esq

Dr Sir Will it be prudent to publish the above in the
paper? I have already written to them, but feared the letters
may mislead, such a notice might meet their Eyes I would still
& see you but am confined. I am very handsomely treated by
the Gentlemen in whose hands I am, and would be well satisfied
if it were not for the great difficulty I find in communicating
with my friends.

Committee of Vigilance Room

Aug 2d 51

Mr Jos Fortner

Dr Sir I hope in God's name when this comes to hand
you will not delay, and return to San Francisco with all pos-
sible dispatch, I am in one of the most unpleasant situations a
Man could be placed in, and all this having afforded—Bing-
ham, Yourself, Hare, and Daniel assistance in getting away to
the mines, it is said and sworn to upon oath that I have sent you
all up into the mines to rob & commit murder. Now for mercy
sake do return, or my life may be sworn away—I have no money
to send you to pay your Expenses or I would send it to you,
but borrow enough & I will pay you when back, I am under an

* These letters have not been found in the contemporary newspaper.

[August 5, 1851]

finement or I could easily get sufficient, if you see any of the other Boys do bring them with you for gods sake or send them word, do not fail to come

Yours Truly

[Signed] Jno. J. Arentrue

It seem's to me there is a foul determination to injure me, if not even to have my life, & I cannot see into it, do for God sak' come as all your characters are involved

Committee of Vigilance room

Augt 5/51. San Francisco

Mr Benj Ray

Dr Sir Please call at the Committee Room I merely wish to ask you in presence of the Committee, one or two questions in relation to a matter of conversation passed between you & myself, a few weeks past—do oblige me & call give your name at the door & you will be admitted

Yours Resp^t

[Signed] Jno. J. Arentrue

[Addressed:]

Benj Ray Esq

Augustus Larrentree vs John Arrentree. Augt 5th 1851

Augustus Larentree, I reside in the City of San Francisco, I have lived in the Country going on two years, I was some time in Crawford Riddle's store, since that I have been Gambling,

I knew Capt Arrentree, I knew Fortner, he went into the Country some time ago. I believe to the Southern Mines, I do not know where he was on the Police for a while, I knew Bingham, his name is George, he was also in the Police, he has gone to the mines, I do not know O'Donnell, I know Hare, but merely to speak to him, I do not know where he is. I know nothing of the character of Bingham, Falkner, or Fortner, they were soldiers in the Penn^a Regiment in Mexico. I know James Eddie, I board there now Mr Eddie is a respectable man, has a family here and is from Philadelphia, resides on Pacific Street below Kearney

[Signed] Augustus Larrentree

[August 2, 1891]

It seems to me there is a good foundation to injure me, if not even to have my life, & I cannot see into it, for God ask, come as all your characters are involved

Yours Truly

[Signed] Jno. J. Armstrong

Committee of Vigilance room
August 2, 1891. San Francisco

Mr. Henry Ray

Dear Sir: Please call at the Committee Room. I nearly wish to ask you in presence of the Committee, one or two questions in relation to a matter of conversation passed between you & myself a few weeks past—do oblige me & call—give your name at the door & you will be admitted

Yours Truly

[Signed] Jno. J. Armstrong

[Addressed]

Benj. Ray Esq

Augustus Larrentine is John Armstrong. Aug 2, 1891
Augustus Larrentine, I reside in the City of San Francisco. I have lived in the County going on two years. I was some time in Crawford Kiddle's store, since that I have been Gambling. I know Capt. Armstrong. I know Father he went into the County some time ago. I believe in the Secretary. I do not know where he was on the Police for a while. I know him. I know his name is George, he was also in the Police he has gone to the mines. I do not know O'Donnell. I know Harb, but merely to speak to him. I do not know where he is. I know nothing of the character of Hughson. Father or Father. They were soldiers in the Penn. Regiment in Mexico. I know James Edlin. I heard there now. Mr. Edlin is a respectable man, has a family here and is from Philadelphia. resides on Pacific Street below Kearney

[Signed]

Augustus Larrentine

[August 5, 1851]

William Webster. San Francisco 4 August 1851

San Francisco Aug 4th 1851

To the Vigilance Committee

Allow me to present to you by the hand of my friend C C Richmond Fifty dollars (\$50 00/00) as a small token of my regard and approbation of the many favors you have rendered to our city, by your incessant labors.

Yrs Respectfully

Signed William Webster

Pacific Street wharf

Pr C C R

To the President of the Vigilance Committee—

Yrs C C Richmond

W Wilson Smith Sect^y V Committee Marysville Aug 3/51

Vigilance Committee Room

Marysville Aug 3. 1851

Gent

A packer known as Irish John was robbed near Bidwell's bar yesterday of about \$3000 in dust & then shot in the arm by the robber he gives the following description of the robber whom we believe to have gone either to Sacramento or San Francisco.

Description He has gone by the name of William Sumpter, is about five feet nine inches or ten inches high, is rather slim, has a fine head of dark hair wears it long, has dark eyes, smooth face, no whiskers 'tis said he has kept a Spanish woman who is now either in Sacramento, Nevada or Marysville, He wore a blue cloth fancy shirt with steel buttons, had on light colored pants, carried a large colts revolver which had a sliver off one side the stock. he was mounted on a dark Iron grey horse in rather thin condition rode a Spanish saddle nearly new, red blankets for saddle cloth and had on a roll of blankets behind

Very Respect^y

[Signed] W Willson Smith

To Executive Committee

Secty V. Com

V. C. San Francisco

[Endorsed:] Received 5/51

San Francisco Committee of Vigilance on 1851
[August 2, 1851]
William Webster, San Francisco 4 August 1851
San Francisco Aug 4th 1851

To the Vigilance Committee
Allow me to present to you by the hand of my friend C C
Richmond Fifty dollars (\$50 00) as a small token of my
regard and approbation of the many favors you have rendered
to our city by your incessant labors.

Yrs Respectfully
Signed William Webster
Pacific Street where
P. C. C. H.

To the President of the Vigilance Committee—
Yrs G C Richmond

W Wilson Smith Secy V Committee Marysville Aug 3rd 1851
Vigilance Committee Hon
Marysville Aug 3 1851

Gent
A packer known as Irish John was robbed near Bishop's
bar yesterday of about \$3000 in dust & then shot in the town by
the robber. he gives the following description of the robber
whom we believe to have gone either to Sacramento or San
Francisco.

Description. He has gone by the name of William Springer
is about five feet nine inches or ten inches high. is rather thin.
has a fine head of dark hair wears it long has dark eyes smooth
face no whiskers. He said he has kept a Spanish woman who
is now either in Sacramento, Nevada or Marysville. He wore a
blue cloth fancy shirt with steel buttons had on light colored
pants carried a large colts revolver which had a silver on one
side the stock. he was mounted on a dark bay mare horse in
rather thin condition. rode a Spanish saddle newly made and
blankets for saddle cloth and had on a roll of blankets behind.

Very Respect
[Signed] W Wilson Smith
Secy V Com

To Executive Committee
V. C. San Francisco
[Endorsed:] Received 5/31

[August 5, 1851]

Isaac Bluxome Jr. Aug 5th 1851. request from Dennis

I am requested to state by Mr Dewey That he was called upon today by Mr Dennis who told him that he was not one [of] us but was anxious to see us go on with the good work we had commenced and would be glad to collect some money for the maintenance of this Committee—if the Committee would accept it

[Signed] Isaac Bluxome Jr

San Francisco August 5 1851

[Endorsed:] Accepted

[Report on George Adams]

In the Matter of Adams Charged with Burglary

The Executive Committee herewith submit to the General Committee, the case of Adams, with his last Statement made on the 3^d day of August A D 1851 for their action and disposal ³

Done by Order of Executive

[Signed] S Payran

August 5, 1851.

James Dennis Brannagan Vis David Earle. August 5th 1851

James Dennis Brannagan, Sw[orn] John Strathern—George Wilson (goes by the name of John) never knew John Arrentrue, I knew John Strathern and Wilson, I knew David Earl ⁴ I have known him for about twenty months, I saw Mr Rowland on Stockton Street, near Washington after the Execution of Stuart, after I had read Stuart's Confession, I asked Mr Rowland how he was, state of the times, Rowland asked me if I heard anything about Mr Earl, I answered No, Rowland said it was in the papers and that I must have seen it, I answered if any man by the name of Earl is implicated it must be David Earl, I heard that Earl had taken goods under false pretences, he took good[s] from persons—so I was told by John Wilson, I saw it in the Papers, from my knowledge of David Earl I would

³ For Adam's statement, see p. 410.

⁴ David Earle had been arraigned before the city recorder, July 24, for obtaining goods under false pretences. The case was continued, but does not reappear in the *Herald's* law reports and on this date he was, apparently, a prisoner of the Committee.

[August 5, 1851]

James Dennis Brannagan Jr. Aug 5th 1851. request from Dennis
I am requested to state by Mr Dewey. That he was called
upon today by Mr Dennis who told him that he was not one [of]
us but was anxious to see us go on with the good work we had
commenced and would be glad to collect some money for the
maintenance of this Committee—if the Committee would ac-
cept it

[Signed] James Brannagan Jr.
San Francisco August 5 1851
[Endorsed:] Accepted

[Report on George Adams]
In the Matter of Adams Charged with Burglary
The Executive Committee herewith submit to the General
Committee the case of Adams with his last statement made on
the 3d day of August A D 1851 for their action and disposal.
Done by Order of Executive
[Signed] S. Payson

August 5, 1851.

James Dennis Brannagan Jr's David Earl. August 5th 1851
James Dennis Brannagan Jr. [signed] John Strathorn—
George Wilson (goes by the name of John) never knew John
Armentine. I knew John Strathorn and Wilson. I knew David
Earl. I have known him for about twenty months. I saw Mr
Rowland on Stockton Street, near Washington after the Exon-
tion of Stuart, after I had read Stuart's Confession. I asked Mr
Rowland how he was state of the time Rowland asked me if I
heard anything about Mr. Earl. I answered No. Rowland said it
was in the papers and that I must have seen it. I answered it
any man by the name of Earl is implicated it must be David
Earl. I heard that Earl had taken goods under false pretenses.
he took goods [s] from persons—so I was told by John Wilson. I
saw it in the Papers, from my knowledge of David Earl I would

* For Adams's statement, see p. 419.
* David Earl had been arrested before the 15th November, July 25
for obtaining goods under false pretenses. The case was continued, but
does not appear in the Herald's law reports and on this date he was
apparently a prisoner of the Committee.

[August 5, 1851]

not believe him on his Oath, Earl told me that he gambled extensively, Rattery lives in Clay Street back of Mr Thompson—

[Signed] James D Branigan

Executive Committee

August 5th 1851

In the case of David Earle your Committee recommend that he be retained for further examination

[Signed] S Payran

Presdt

Peter Kinnan respecting G W Hance

W G Hance an escaped convict from Panama where he was under sentence of transportation for 14 or 21 years for murder escaped from Prison in Panama night of July 4 and secreted himself on board ship *Trescott* Kinney master at Toboga which sailed about July 9 this information I received from Captain James Payne former master of the ship by letter per steamer *California*

Hance is a tall good looking mulatto well built very much of a gentleman in his manners formerly kept the New York restaurant in Panama afterwards he was arrested for the murder of his brother in law afterwards was suspected of poisoning one of the guards whilst in prison and attempting to poison another he addressed a crowd of newly arrived Americans in Panama through the grates of the prison made them believe he was unjustly confined caused a riot which the american consul quelled he is a dangerous man I have stopped at his hotel in Panama and know him by sight well any assistance I can render in the premises will cheerfully do the ship can be expected last of this month *Commodore* Robert Martin knows him well Hance dresses well⁵

[Signed] Peter Kinnan

S. F. Augt 5/51

I know Mr Peter Kinnan—he is a gentleman of unquestionable veracity

[Signed] G. W. Ryckman, No 53—

⁵ Hance was captured by the Committee and sent back to Panama. The *S. F. Herald*, Nov. 18, reported that he was serving out his sentence in the chain gang at Carthage.

not believe him on his Oath. Earl told me that he could not ex-
tensively, Rattery lives in Clay Street back of Mr Thompson—
[Signed] James D. Buchanan

Executive Committee
August 3rd 1881

In the case of David Earl your Committee recommend that
he be retained for further examination

[Signed] S. F. Arnold
Frank

Peter Kinman respecting G. W. Hance
W. G. Hance an escaped convict from Panama where he was
under sentence of transportation for 14 or 21 years for murder
escaped from Prison in Panama night of July 4 and secured
himself on board ship Tyne. Kinman master at Tokyo
which sailed about July 9. This information I received from
Captain James Payne former master of the ship Tyne later per
steamer California

Hance is a tall good looking middle well built very
much of a gentleman in his manners formerly kept the New
York restaurant in Panama afterwards he was arrested for
the murder of his brother in law afterwards was sentenced to
poisoning one of the guards whilst in prison and attempting to
poison another he addressed a crowd of newly arrived Ameri-
cans in Panama through the gates of the prison made them
believe he was unjustly sentenced caused a riot which the
American Consul quelled he is a dangerous man I have

stopped at his hotel in Panama and know him by sight well
any assistance I can render in the process will cheerfully do
the ship can be expected out of this month. Commandery Robert
Martin knows him well. Hance dresses well.

[Signed] Peter Kinman
S. F. Aug 5/81

I know Mr. Peter Kinman—he is a gentleman of unquestion-
able veracity

[Signed] G. W. Ryckman No 55—

* Hance was captured by the Committee and sent back to Panama. The
S. F. Herald Nov. 18 reported that he was set free and he returned to the
chain gang at Carthagen.

WEDNESDAY, AUGUST 6, 1851

MINUTES

Minutes of Special [General] Meeting Aug 6. 1851

Mr Fred Woodworth in the Chair

Minutes of previous meeting read and approved

On motion Mr Malone

Resolved That George Adams be handed over to the Civil Authorities— passed

On motion Adjourned

[Signed] Isaac Bluxome Jr
Secretary

MISCELLANEOUS PAPERS

[Police Order. Case of George Adams]

To the Chief of Police

Sir You are hereby ordered to deliver into the hands of the Sheriff of this County the Body of George Adams and take a receipt for the same and herein "fail not"

By order of Committee

[Signed] Isaac Bluxome Jr
Secretary

San Francisco August 7. 1851

San Francisco August 6th 1851Rec^d of the Chief of Police of Vigilant Committee George Adams in accordance with order of the Committee[Signed] John Caperton
Under Sheriff*[Police Order. Case of John Arenttrue]*

To the Chief of Police

Sir You are hereby ordered to hand over to the Sheriff of this County the Body of John Arenttrue and take a receipt for the same, and herein "fail not"

By order of

Committee of Vigilance

[Signed] Isaac Bluxome Jr
Secretary

San Francisco August 5. 1851

Wednesday, August 6, 1881

MINUTES

Minutes of Special (General) Meeting Aug 6, 1881

Mr Fred Woodworth in the Chair

Minutes of previous meeting read and approved

On motion Mr Adams

Resolved That George Adams be handed over to the Civil

Authorities — passed

On motion Adjourned

[Signed] Isaac Hinson Jr

Secretary

MISCELLANEOUS PAPERS

[Police Order, Case of George Adams]

To the Chief of Police

Sir You are hereby ordered to deliver into the hands of the Sheriff of this County the Body of George Adams and take a receipt for the same and herein "fail not"

By order of Committee

[Signed] Isaac Hinson Jr

Secretary

San Francisco August 7, 1881

San Francisco August 7, 1881

Recd of the Chief of Police of Virginia Committee George Adams in accordance with order of the Committee

[Signed] John Caperton

Order Sheriff

[Police Order, Case of John Adams]

To the Chief of Police

Sir You are hereby ordered to hand over to the Sheriff of this County the Body of John Adams and take a receipt for the same and herein "fail not"

By order of

Committee of Vigilance

[Signed] Isaac Hinson Jr

Secretary

San Francisco August 8, 1881

[August 6, 1851]

Received the above prisoner from Chief of Police of the
Vigilance Committee.

Wednesday morning

August 6th 1851

John C. Hays Sheriff

[Signed] by B. F. Harley Dy Shff

San Francisco August 6th 1851.

Executive Committee to Stephen Payran in relation to Goff

Aug 6. 1851

We the undersigned members of the Ex Com request that as
the time of Mr Goff will expire on to-morrow morning the Execu-
tive Committee should be called together to devise ways & means
for his transportation—

We request the Sergt at Arms to notify the President of the
same—

[Signed] Isaac Bluxome Jr

“ George M Garwood

“ Geo J Oakes

“ W^m C Graham

J. C. L. Wadsworth per George M Garwood

San Francisco August 6. 1851

We would sudgest the hour of 10—A M

[Resignation of W. C. Graham]

To the President & Members of the Executive Committee

Gents Allow me to tender you this my resignation as a
member of the Ex. Comm. as I can no longer consent to Act in
any Committee or body of men where a small minority have the
rule—with sentiments of respect & my best wishes for your pros-
perity individually I remain

Your Obt St

[Signed] W^m C Graham¹

Ex Chamber 6 Aug^t 1851.—

¹ Graham continued to serve as secretary until August 18, although
he resigned for the second time, on the 15th (p. 462).

San Francisco Committee on Vigilance on 1851 451
[August 6, 1851]

Received the above prisoners from Chief of Police of the
Vigilance Committee

Wednesday morning
August 6th 1851

John C. Hays Sheriff
[Signed] by B. F. Hays Dy Bar
San Francisco August 6th 1851

Executive Committee to Stephen Parnes in relation to Gov
Aug 6 1851

We the undersigned members of the Ex Comm request that at
the time of Mr Gov will expire on tomorrow morning the Execu-
tive Committee should be called together to devise ways & means
for his transportation—

We request the Sergt at Arms to notify the President of the
same—

[Signed] Isaac Buchanan Jr
George M Garwood
Geo J Gask
Wm C Graham

J. C. L. Washburn per George M Garwood
San Francisco August 6 1851

We would suggest the hour of 10—A M

[Resignation of W. C. Graham]

To the President & Members of the Executive Committee
Gents Allow me to tender you this my resignation as a
member of the Ex Comm as I can no longer consent to Act in
any Committee or body of men where a small minority have the
rule—with sentiments of respect & my best wishes for your pros-
perity individually I remain

Your Obedt

[Signed] Wm C Graham

Ex Chamber 6 Aug 1851—

Graham continued to serve as secretary until August 15th 1851
he resigned for the second time on the 15th of 1851.

[August 6, 1851]

[Memorandum on back of paper:]	Ex Com	20
	Officers	5
	C Police	6-20
	Water Clo	2 10

33

40

73

227

300

William C Wilson. relative to Garland. Aug 6. 1851

San Francisco Augt 6th 1851

To the Members of the Vigilance Committee

Gentlemen Having been requested to Certify to the Character of Richard Garland who is now in confinement on account of being a bad Character

i beg to state that i have known him for upwards of two years in Sydney and during that period he conducted himself in an honest upright manner and there are others beside myself in this City who can honestly Certify to the same

I further state that i have never known him guilty of any offence which would cause me to desire his removal from amongst us

Yours Truly

[Signed] William Charles Wilson

[Addressed:]

Vigilance Committe

Battery Street

San Francisco

[August 6, 1881]

[Memorandum on back of paper:] E. C. C.

Officers

C. Police

Water Clo

20
5
5-20
2 10

38

40

78

287

300

William C. Wilson, relative to Garland, Aug. 6, 1881
San Francisco Aug. 6th 1881

To the Members of the Vigilance Committee

Gentlemen: Having been requested to certify to the character of Richard Garland who is now in confinement on account of being a bad character

I beg to state that I have known him for upwards of ten years in Sydney and during that period he conducted himself in an honest upright manner and there are others besides myself in this City who can honestly certify to the same

I further state that I have never known him guilty of any offence which would cause me to desire his removal from amongst

Yours Truly

[Signed] William Charles Wilson

[Address:]

Vigilance Committee

Battery Street

San Francisco

THURSDAY, AUGUST 7, 1851.

MINUTES

Minutes Thursday Evening 7 Augt 1851

Executive Chamber

Thursday Morning 7 August 1851

Present, Payran, Ward, Bluxome, Gorham, Garwood
Oakes Ryckman, Graham,

In the Case of John Goff, on motion resolved that the Chief of Water police be instructed to bring him before this Committee, & if found to be on board any vessel, to order the Cap^t of said vessel to appear before the Committee this evening at 8 OClk.—

The Committee then went into the examination of Patrick Wild alias Patrick Wise, a Sydney convict—as pr records filed—
Adjourned to meet at 8 oClk. P. M.

[Signed] W^m C Graham Sect^y

Thursday Evening 7th August 1851

Present Payran, Bluxome, Wadsworth, Schenck, Gorham,
Oakes, Garwood, Ryckman, Graham,—

The Committee met agreeable to adjournment

John Goff having been brought before the Committee (his time as given by the Com having expired this day at 10 oClk)—stated he was nearly ready to sail in the Brig *Veto*, owned by himself for Sydney, as pr record on file—

Captⁿ John H Stephens, Master of Brig *Veto* was then examined, whose statement corroborated that of John Goff.—record on file—

On motion, resolved that John Goff be allowed one Week from tomorrow morning at 10 Clk to prepare for his departure, by giving Security in the Sum of one thousand dollars or be retained in Custody— Carried

Mr Oakes having become security that the said Goff would deposit with Mr DeLassart Tres^r of the Gen^l Com. one thousand dollars by tomorrow at 10 OClock. Said Goff was discharged.—

Mrs Jane Wild appeared in evidence against Patrick Wild alias Pat^k Wise a Sydney Convict— Records filed

On motion Resolved that P Wild alias Wise be expelled from

THURSDAY, AUGUST 7, 1851.

MINUTES

Minutes Thursday Evening 7 Augt 1851

Executive Chamber

Thursday Morning 7 August 1851

Present Payson, Ward, Bluxome, Graham, Garwood

Oakes Ryckman, Graham,

In the Case of John Goff, on motion resolved that the Chief of Water police be instructed to bring him before this Committee, & if found to be on board any vessel, to order the Capt. of said vessel to appear before the Committee this evening at 8 O'Clock. The Committee then went into the examination of Patrick Wild alias Patrick Wise, a Sydney convict—as per records filed—

Adjourned to meet at 8 O'Clock P. M.

[Signed] Wm O Graham Secy

Thursday Evening 7th August 1851

Present Payson, Bluxome, Wadsworth, Schenck, Graham,

Oakes, Garwood, Ryckman, Graham,—

The Committee met agreeable to adjournment

John Goff having been brought before the Committee (his time as given by the Com having expired this day at 10 o'Clock) — stated he was nearly ready to sail in the Brig Veto, owned by himself for Sydney, as per record on file—

Capt. John H Stephens, Master of Brig Veto was then examined, whose statement corroborated that of John Goff—record on file—

On motion, resolved that John Goff be allowed one Week from tomorrow morning at 10 O'Clock to prepare for his departure, by giving Security in the sum of one thousand dollars or be retained in Custody.— Carried

Mr Oakes having become security that the said Goff would deposit with Mr DeLassart Trear of the Gen Com one thousand dollars by tomorrow at 10 O'Clock. Said Goff was discharged—

Mrs Jane Wild appeared in evidence against Patrick Wild alias Pat Wise a Sydney Convict.— Records filed
On motion Resolved that P Wild alias Wise be expelled from

[August 7, 1851]

California never to return under penalty of Death— Carried
unanimously

An order was issued for the arrest of Gainsborough to Chief
of Police also one for the arrest of Dr Kennedy,¹ to Chief Water
Police

No other business Adjourned

[Signed] W^m C Graham Sect^y

[Endorsed:] No meeting 6th

MISCELLANEOUS PAPERS

[Case of John Goff]

Capt of Police

You are hereby directed to bring John Goff wherever he may
be found before the Executive Committee forthwith and herein
fail not, If found on board any ship notify the Capt to appear
before the Committee at 8. OClock P.M. of this day

By order of the Executive*

August 7th 1851

[Signed] S Payran

[Annotated:] On Board Brig *Veto*.

John Goff, I am not quite prepared to leave the State of
California, I may get away on Sunday Morning, at any rate by
this day one week I am prepared to leave in the Brig *Veto*,
Capt Stevens, she is an American Brig, The Captain is an Ameri-
can Captain, she is bound for Sydney the Brig is owned by
myself chiefly, I mean she is owned by me altogether, she cost
me \$1200, not insured, the Capt is to take her to Sydney and
leave her, she has Passengers, seven a man & his wife and five
children Mr McDonald is the name of the Passenger The
title of the Brig is in my own name,

I have sold all my property and closed all my business;

Attest S Payran

August 7th 1851

¹ Dr. Kennedy of the ship *Johnstone* was arrested for stabbing the cap-
tain, but the Committee immediately turned him over to the city authorities.
S. F. Herald, August 11, 13, 16.

2. W. Walsh, August 11, 1851.
The Kennedy of the ship Johnston was arrested for stopping the ship, but the Committee immediately turned him over to the City authorities.

August 7th 1851

I have sold all my property and blood all my interest;
Attest S Payson

title of the Brig is in my own name.
children Mr McDonald is the name of the Passenger. The
leave her, she has Passengers seven a man & his wife and two
me \$1200, not insured, the Capt is to take her to Sydney and
myself chiefly, I mean she is owned by me altogether, she cost
can Captain, she is bound for Sydney. The Brig is owned by
Capt Stevens, she is an American Brig. The Captain is an Ameri-
this day one week. I am prepared to leave in the Brig later
California, I may get away on Sunday morning, at any rate by
John Goff. I am not quite prepared to leave the State of

[Annotated:] On Board Brig Yale.

[Signed] S Payson
August 7th 1851

By order of the Executive.

before the Committee at 8 O'clock P.M. of this day
fail not. If found on board any ship notify the Capt to appear
be found before the Executive Committee forthwith and herein
You are hereby directed to bring John Goff whenever he may
Capt of Police

[Case of John Goff]
MISCELLANEOUS PAPERS

[Endorsed:] No meeting &c

[Signed] Wm C Graham Secy
No other business. Adjourned

Police
An order was issued for the arrest of Gainsborough to Chief
of Police also one for the arrest of Dr Kennedy, to Chief Water
unanimously

California never to return under penalty of Death — Carried
[August 7, 1851]
ACADEMY OF PACIFIC COAST HISTORY 430

[August 7, 1851]

Capt John L Stevens, I command the Brig *Veto*, an American Brig—I am a Native Born American, I was born at Eastport State of Maine, the crew on board the Brig are not all Americans, my crew consists of six men besides myself—Mate, Steward and four Seamen I did not ship them, they were shipped at the instance of the owner of the Brig—the Brig is owned by John Goff, the Brig is intended to clear for Sydney, and in ballast, I go as Captain to Sydney only, I do not know what Trade Goff intends her for, it will take all of a week to get her ready for sea, The Brig was brought out here by [. . .]

We have not exactly made an agreement as to what compensation I am to receive, he is to pay me by the Month for taking her down to Sydney, John Goff is owner and goes as super cargo,

Attest S Payran
August 7th 1851

his
John L. X Stephens
Mark

The Treasurer Mr Delesseret, will receive a special Deposit from John Goff, to be repaid him in one week from this Eighth day of August A D 1851 by an order from the Executive Committee of the Committee of Vigilance, to be signed by the Chairman & Secretary and Quorum of five members of that body—This deposit is made by said John Goff by order of the Executive, as security that he, the said John Goff shall depart the State of California on board the Brig *Veto*, Capt Stephens for Sydney, within the time stated, should the Ship sails on an earlier day, or on the day fixed, the money shall be repaid on an order as above stated ³

Done by order of the Executive

August 7th 1851

[Signed] S. Payran
Presdt of Ex Com

Mr Oakes is appointed as a Committee of one to attend to this order, and let the Treasurer endorse on this order the receipt

³ The San Francisco papers did not record the sailing of the *Veto*.

Capt John L. Stevens. I command the Brig Telo, an Ameri-
can Brig—I am a Native Born American. I was born at Bathport
State of Maine, the crew on board the Brig are not all Ameri-
cans, my crew consists of six men besides myself—Maine, Steward
and four Seamen. I did not ship them, they were shipped at the
instance of the owner of the Brig—the Brig is owned by John
Goff, the Brig is intended to clear for Sydney, and in ballast, I
go as Captain to Sydney only, I do not know what Trade Goff
intends her for, it will take all of a week to get her ready for sea.
The Brig was brought out here by I . . .

We have not exactly made an agreement as to what com-
pensation I am to receive, he is to pay me by the month for taking
her down to Sydney, John Goff is owner and goes as super-

cargo,

Attest S. Payson John L. N. Stephens
August 7th 1851 Mark

The Treasurer Mr. Delesseret, will receive a special deposit
from John Goff, to be repaid him in one week from this Eighth
day of August A. D. 1851 by an order from the Executive Com-
mittee of the Committee of Vigilance, to be signed by the Chair-
man & Secretary and Chairman of five members of that body—
This deposit is made by said John Goff by order of the Execu-
tive, as security that he, the said John Goff shall depart the State
of California on board the Brig Telo, Capt Stephens for Sydney,
within the time stated, should the ship sail on an earlier day,
or on the day fixed, the money shall be repaid on an order as
above stated.

Done by order of the Executive

August 7th 1851

[Signed] S. Payson

President of Ex Com

Mr. Oakes is appointed as a Committee of one to attend to
this order, and let the Treasurer endorse on this order the receipt

* The San Francisco papers did not record the signing of the Telo.

[August 7, 1851]

of the money after which return this order executed to the Secretary of the Executive Committee of the Committee of Vigilance

August 7th 1851

[Signed] S Payran

[Endorsed:] Rec^d. from Mr John Goff the sum of Two Hundred and Ten Sovereigns being at the rate of \$4.85.—One Thousand and Eighteen 50/100 Dollars.

San Francisco Aug. 8th 1851

for: Eugene. Delessert Treas.

[Signed] Camilo Martin

Lawrence D Bailey v. s. C L Taylor. August 7th 1851

Lawrence D Bailey— I am bookkeeper at Hillman Temperance House on Clay St above Dupont—on the night of the fifth a man called at the house for lodgings—he gave his name as L L Taylor—on my telling him the amt he would have to pay for his lodging he said he would be compelled to go out for about 10 minutes—I told him the House would be closed before that time—he left & I left and went to bed—Taylor returned and in the morning I found I had been robbed of 9.⁴⁵/₁₀₀ dolls—Another Gent in the [same⁴] another room was robbed of 10\$—Taylor left the morning the robbery was discovered by a back door—Taylor returned last night and was drunk—Mr Hillman returned to the house while the man was there and directed me to show him to a bed—The Gent who occupied the room with him saw him deposit a bag which seemed to contain money under his pillow—This morning he was still there—This morning a Mr J W Temple discovered he had lost 67.\$—Taylor left this morning after breakfast without paying his bill by the same back door—Thaylor was about 30 years of age—middle hight—heavy black whiskers—wore green spectacles last night—well dressed, in black—Last night he talked a great [deal] of his property—said he owned a store on Sansome St three doors above long wharf also a Ranch of some 300 acres—also one third of California Exchange—

[Signed] L. D. Bailey

San Francisco August 7. 1851

⁴ The word in brackets has been crossed out.

[August 7, 1851]

of the money after which return this order executed to the Secretary of the Executive Committee of the Committee of Vigilance

August 7th 1851

[Signed] E. Payson

[Endorsed:] Recd. from Mr. John Goff the sum of Two Hundred and Ten Sovereigns being at the rate of \$1.85—One Thousand and Eighteen 30/100 Dollars.

San Francisco Aug 7th 1851

for: Eugene Delassart Treas.

[Signed] Camille Martin

Lawrence D Bailey & C. E. Taylor. August 7th 1851

Lawrence D Bailey— I am bookkeeper at Hillman Ter-
rance House on Clay St above Dupont—on the night of the fifth
a man called at the house for lodgings—he gave his name as L. D.
Taylor—on my telling him the sum he would have to pay for
his lodging he said he would be compelled to go out for about
10 minutes—I told him the House would be closed before that
time—he left & I left and went to bed—Taylor returned and in
the morning I found I had been robbed of \$7.00—Another
Gent in the [same] another room was robbed of 10¢—Taylor left
the morning the robbery was discovered by a back door—Taylor
returned last night and was drunk—Mr Hillman returned to the
house while the man was there and directed me to show him to
a bed—The Gent who occupied the room with him saw him de-
posit a bag which seemed to contain money under his pillow—
This morning he was still there—This morning a Mr J W Temple
discovered he had lost \$7.40—Taylor left this morning after hav-
ing last without paying his bill by the same back door—Taylor was
about 30 years of age—middle height—heavy black whiskers—
wore green spectacles last night—well dressed, in black—Last
night he talked a great deal of his property—said he owned
a store on Sansome St three doors above Long wharf also a Ranch
of some 300 acres—also one third of California Exchange—

[Signed] L. D. Bailey

San Francisco August 7 1851

* The word in brackets has been crossed out.

[August 7, 1851]

[*Case of Patrick Wilde or Wise*]

Patrick Wilde, I was born in Dublin Ireland left Dublin November 1843, I left in the Ship *Sovereign* Capt Hutton bound to New Holland (Sydney) thence to Bathurst never guilty of any crime, not shipped as a convict, had never been a convict I have been in California about two years my Father in Law has gone home, my wife & step son is here, my wife has \$1500 belonging to me, I know Mrs McKenzie I owe her about \$70—

*Upon a reexamination Patrick admits that he is the party named in the Pardon and was transported . . .*⁵

Attest

Ordered by the Executive that Patrick Wilde leave the State of California and never to return, under sentence of Death should he do so,

[*Statement of Jane Wilde*]

Jane Wilde, I am from Sydney, I have been in California sixteen or eighteen months I am married, I married my husband at Bathhurst in the Colonies under the name of Wilde, Wilde is his proper name, I knew that Wilde had been a convict was convicted under the name of Wise, which was an assumed name, I believe he was convicted of House breaking, Breaking into a Grocers Store, he was in Sydney a steady industrious man, but in California he has been unsteady, given to drinking, and abusive to me,⁶ he has rendered my life intolerable and burdensome to me, I am not Divorced from him (*Papers exhibited*) Divorce merely from Bed & Board I had at first 1132—I paid the Lawyers 313—balance I have used much of for my maintenance, I am willing to pay his passage out of the Country and expenses for keeping—

I know Aaron Gainesborough he resides in the House in which I live, he G. owns the House, I knew G— in Bathhurst he was a Trader in Jewellery & watches, I never knew him to

⁵ Illegible.

⁶ The *S. F. Herald*, August 5, reported that Wild had been bound over to keep the peace for beating his divorced wife. He was transported by the Committee on the *Dorset*. See p. 499.

[Case of Patrick Wilde or White]

Patrick Wilde. I was born in Dublin Ireland, left Dublin November 1843, I left in the Ship *Swallow* Capt Butler bound to New Holland (Sydney) thence to Bathurst never guilty of any crime, not shipped as a convict had never been a convict I have been in California about two years my Father in Law has gone home, my wife & step son is here, my wife has \$1500 belonging to me, I know Mr. McKeezie I owe her about \$70—

Upon a re-examination Patrick admits that he is the party named in the Pardon and was transported. . . .
Attest

Ordered by the Executive that Patrick Wilde leave the State of California and never to return, under sentence of Death should he do so.

[Statement of Jane Wilde]

Jane Wilde. I am from Sydney, I have been in California sixteen or eighteen months. I am married, I carried my husband at Bathurst in the Colonies under the name of Wilde. Wilde is his proper name, I knew that Wilde had been a convict was convicted under the name of White, which was an assumed name, I believe he was convicted of House breaking. Breaking into a Grocery Store, he was in Sydney a steady, industrious man, but in California he has been intemperate, given to drinking, and abusive to me, he has rendered my life intolerable and burdensome to me, I am not divorced from him (papers exhibited). Divorce merely from Bed & Board. I had at first \$132—I paid the Lawyers \$13—balance I have used most of for my maintenance, I am willing to pay his passage out of the Country and expenses for living—

I know Aaron Gainsborough he resides in the House in which I live, he G. owns the House, I know G.—in Bathurst he was a Trader in Jewellery & watches, I never knew him to

* Illegible.

* The E. F. Herald, August 5, reported that Wilde had been bound over to keep the peace for beating his divorced wife. He was transported by the Committee on the 10th. See p. 405.

[August 7, 1851]

be a convict, I heard at Bathherst that G. was a Convict, it was generally reported that G. was a convict, G. was in town to day Augt 7 1851

[Annotated:] Accepted by the whole

FRIDAY, AUGUST 8, 1851

MINUTES

Minutes Friday Evening 8th August 1851

Executive Committee Friday evening 8 August 1851

Present Payran, Ryckman, Schenck, Woodsworth Curtis
Bromley Garwood, Graham,

On motion *resolved*, that John F Spence A J Ellis, & Thos McCahill be notified to show Cause why they absent themselves from the Ex. Com. Mr Bromley was excused from fines on a/c of absence from the City.—

On motion *resolved* that an additional collector be added, whereupon A G Randall was duly appointed.—

The Committee appointed to examine the passengers on board ship *Jamestown*, reported favorable to the same— accepted.—

Thomas Jones & Emma his wife were ordered to leave California within thirty days, being convicts from Sydney—

On motion of Mr Brindley—*Resolved*, that Captⁿ Gellespie be ordered to attend this Committee, & be it made known to him that he has brought some several Convicts to this State in the Ship *Adriondach*, and we demand of him to pay the expenses of said Convicts while here and to pay their expenses back to the Colonies, and should he not do so, to institute proceedings against his ship forthwith—

Mr Curtis was apointed to Superintend the Shipping of the prisoners now on hand.—

A note was rec^d from F Bule complaining against one Donnelly a Carman, an escaped Convict—order issued to Chief of Police for his arrest.—

Adjourned to meet tomorrow evening at 7½ OClock

[Signed] W^m C Graham

[August 7, 1851]

be a convict, I heard at Baltimore that G. was a convict. It was generally reported that G. was a convict. G. was in town to-day.

Aug 7 1851

[Annotated.] Accepted by the whole

Friday, August 8, 1851

MINUTES

Minutes Friday Evening 8th August 1851

Executive Committee Friday evening 8 August 1851

Present: Payson, Ryckman, Schenck, Woodward, Curtis, Bromley, Garwood, Graham.

On motion resolved, that John F. Spence, A. J. Ellis & Thomas McCall be notified to show Cause why they should be removed from the H. Com. Mr. Bromley was excused from being on a day of absence from the City.

On motion resolved that an additional collector be added, whereupon A. G. Randall was duly appointed.

The Committee appointed to examine the passengers on board ship Jameson, reported favorable to the same. — accepted.

Thomas Jones & Emma his wife were ordered to leave California within thirty days, being convicts from Sydney.

On motion of Mr. Hittinger—Resolved, that Capt. Gellish be ordered to attend this Committee, & be it made known to him that he has brought some several convicts to this State in the ship Adirondack, and we demand of him to pay the expenses of said convicts while here and to pay their expenses back to the Colonies, and should he not do so, to institute proceedings against his ship forthwith.

Mr. Curtis was appointed to superintend the shipping of the prisoners now on hand.

A note was read from F. Bole complaining against one Donnelly a German, an escaped convict—order issued to Chief of Police for his arrest.

Adjourned to meet tomorrow evening at 7 1/2 O'clock
[Signed] W. C. Graham

[August 8, 1851]

MISCELLANEOUS PAPERS.

Aff[idavi]t of Streeter & Hatch [Case of Whittaker¹]

State of California

County of Santa Barbara

On this 8th day of August A. D. 1851 before me A. F. Hinchman, County Clerk of Santa Barbara County personally came, William Hatch and David B Streeter who being each sworn say each for himself that they were this morning in company with the man supposed to be Whittaker mentioned in the confession of Stuart before the Vigilance Committee of San Francisco, and who is now in charge of the Sheriff of this County on the affidavit of said Hatch that the man is the said Whittaker, and that the said man supposed to be Whittaker declared this day in their hearing that he had been implicated in certain crimes by the said Confession of Stuart, that he had just come from the mines for fear that he should be there recognized and injured.

[Signed] D. B. Streeter

“ W^m Huhtz²

Witness my name and in the absence of an official seal my private seal

A. F. Hinchman

County Clerk of Sta Barbara County

[Seal]

State of California

County of Santa Barbara

On this 8th day of August A. D. 1851, before me personally came William Hatch who having been duly sworn says that he was in Monterey about three months ago when Osborn & others were tried for robbing the Custom House; that he saw at that time three men who came from San Francisco and who seemed to take a great interest in the trial of said Osborn & others, that one of three was said to be Stuart, that another one of the three was said to be Whittaker a man mentioned in the confession of Stuart before the Vigilance Committee of San Francisco; that

¹ See note 24, p. 232.

² The signature is plainly Huhtz, although the name is written “Hatch” in the text of the affidavit.

MISCELLANEOUS PAPERS

Attest: [Signature] of Sheriff & Hatch (Case of Whitaker)
State of California

County of Santa Barbara

On this 8th day of August A. D. 1851 before me A. F. Hinchman, County Clerk of Santa Barbara County, personally came William Hatch and David B. Sturtevant who being each sworn separately for himself that they were this morning in company with the man supposed to be Whitaker mentioned in the confession of Sturtevant before the Vigilance Committee of San Francisco, and who is now in charge of the Sheriff of this County on an affidavit of said Hatch that the man is the said Whitaker, and that the said man supposed to be Whitaker declared this day in their hearing that he had been implicated in certain crimes by the said Confession of Sturtevant, that he had just come from the mines for fear that he should be there recognized and injured.

[Signed] D. B. Sturtevant

W. Hatch

Witness my name and in the absence of an official seal my

private seal

A. F. Hinchman

County Clerk of Santa Barbara County

[Seal]

State of California

County of Santa Barbara

On this 8th day of August A. D. 1851 before me personally came William Hatch who having been duly sworn says that he was in Monterey about three months ago when Robert & others were tried for robbing the Custom House; that he saw at that time three men who came from San Francisco and who seemed to take a great interest in the trial of said Robert & others, that one of three was said to be Sturtevant, that another one of the three was said to be Whitaker a man mentioned in the confession of Sturtevant before the Vigilance Committee in San Francisco; that

1 See note 24, p. 232.

2 The signature is clearly Hatch, although the name is written "Hatch" in the text of the affidavit.

[August 8, 1851]

the man whom deponent believes to be the said Whittaker is now sitting in the room where this deposition is written and that the following is a fair description of his personal appearance: He is a man of medium height, rather thick and strongly made, with black eyes, black hair slightly curled, with a nose turned up and by no means a Roman, and at present wearing a slight moustache & beard: Deponent further says that he is perfectly confident that the man just described is one of the three who came from San Francisco to attend the trial above mentioned and who seemed to the friends of the prisoners.

[Signed] W^m Huhtz

Subscribed & sworn before me A. F. Hinchman County Clerk of Santa Barbara County

Witness my private seal in the absence of an official seal.

[Seal]

A. F. Hinchman

[Resignation of W. T. Reynolds]

To the Chairman & Members of the Vigilance Committee of San Francisco.

Gentlemen My present occupation precluding the possibility of taking my turn to keep guard & perform such other duties, as your Body may assign to me as Member of your Committee; I feel in honor bound, however much I may regret the step, to withdraw my name from your books, preferring to be an outsider than a useless Member—I therefore beg you will accept my resignation.

Those Members to whom I am personally known, are well acquainted with my views of the proceedings of your body, & can also vouch for the fact that I was always on hand to do duty, until other engagements engaged the whole of my time.

In conclusion allow me to say, that so long as the state of affairs in this place, require your organization to remain in force, so long will you find in me, a ready hand & willing heart to serve you in time of need.

I remain, Gentlemen

Yours truly

[Signed] W. Reynolds. n^o 233.

San Francisco 8 Aug^t 1851.

[August 8, 1851]

[Addressed:]

To the Chairman & Members of the Committee of Vigilance
San Francisco

[Added on back of sheet]

Gentlemen,

I withdraw my resignation & request that my name be placed on the list of honorary Members & that I be exempt from fines, for the reasons stated in the within.³

Yours obed^t Serv^t

[Signed] W. Reynolds.

[Receipt for Hospital Money⁴]

Received San Francisco August 8. 1851 from Committee of Vigilance the sum of one hundred & fifteen $4\frac{2}{100}$ dollars—money collected from Passengers for Hospital Money—

\$115 $4\frac{2}{100}$

[Signed] E. M. Harrison
for Captⁿ T. B. Harrison

SATURDAY, AUGUST 9, 1851

MINUTES

*Minutes Saturday Evening 9th Aug^t 1851*Executive Chamber. Saturday Evening 9th August 1851.

Present. Schenck, Huie, Curtis, Woodworth McCahill,

³ Reynold's name is annotated "exempt" in the *Book of Names* of the sergeant-at-arms. *Papers of the San Francisco Committee of Vigilance of 1851*, I.

⁴ By an act passed April 9, 1850, the legislature provided for the establishment of a State Marine Hospital in San Francisco, and ordered that the owners or consignees of vessels should report all incoming passengers and give bonds to protect the Board of Health in case illness should make them public charges. In lieu of bonds, "hospital money" might be paid, at a fee varying from one to five dollars, according to a specified rating of crews and passengers (*California Statutes*, 1850, Chapter 65, and 1851, Chapters 87, 130, 135). The steamship companies tried to collect these sums, not always with success, and the Vigilance Committee, reporting on the passengers of the *Adirondack*, July 16, noted several who "had not paid hospital fee." The *Johnson*, Captain Harrison (or Addison), arrived from Sydney August 7, with 125 passengers (*S. F. Herald*, August 8), and the committee reported on fifty-six persons, none of whom were deemed undesirable. It is evident from the receipt above, that delinquent fees were collected by the Committee, and paid to the captain. The *S. F. Herald*, Dec. 11, 12, 1851, reported that the legality of this fee was protested by the Pacific Mail S. S. Co.

SAN FRANCISCO COMMITTEE ON VIGILANCE OF 1851
[August 8, 1851]

[Addressed:]

To the Chairman & Members of the Committee of Vigilance
San Francisco

[Added on back of sheet]

Gentlemen,

I withdraw my resignation & request that my name be
placed on the list of honorary members & that I be exempt from
fines for the reasons stated in the within.

Yours obed. Serv.

[Signed] W. Reynolds

[Receipt for Hospital Money]

Received San Francisco August 8 1851 from Committee of
Vigilance the sum of one hundred & fifteen dollars—money
collected from Passengers for Hospital Money—

\$115.00

[Signed] E. M. Harrison
for Capt. T. R. Harrison

SATURDAY, AUGUST 8 1851

MINUTES

Minutes Saturday Evening the 4th 1851

Executive Chamber, Saturday Evening the 4th August 1851

Present: Schoenck, Hulse, Curtis, Woodworth, McCabill.

Reynolds's name is annotated "absent" in the Book of Names of
the organization. Report of the San Francisco Committee of Vigilance
of 1851.

By an act passed April 2, 1850, the Legislature provided for the
establishment of a State Marine Hospital in San Francisco, and ordered
that the owners or consignees of vessels should report all remaining pas-
sengers and give bonds to protect the Board of Health in case illness
should break out among the passengers. In case of bonds, "hospital money"
might be paid, as a fee varying from one to five dollars, according to a
schedule of rates of crew and passengers (California Statutes, 1850,
Chapter 48, and 1851, Chapter 27, 1851, 1852). The same schedule was
tried to collect these fees, but always with failure, and the Legislature
Committee, reporting on the passengers of the schooner, July 15, noted
several who "had not paid hospital fee." The schooner, Captain Harrison
(or Addison), arrived from Mexico August 1, with 125 passengers, 100
Brazil, August 2, and the committee reported on this day persons
none of whom were deemed undesirable. It is evident from the report
above, that delinquent fees were collected by the Committee, and paid
to the captain. The E. A. Howell, Dec. 11, 1851, reported that
the legality of this fee was questioned by the Pacific Mail & Co.

[August 9, 1851]

Ellis, Oakes, Wadsworth, Ryckman, Garwood Saunders,
Bluxome, Graham

Minutes read & adopted—

On Motion, *resolved*, that those parties deputed to present a flag from the Ladies of Trinity Parish this evening, have permission to enter the Committee Room and also be respectfully requested to withdraw af[t]er the Ceremonies are concluded, as other important business will be before the Meeting.— Carried.—

Mr McCahill reported that business & the death of his brother has been the cause of his absence & asked remittance of fines,— adopted.—

On Motion *resolved* we recommend to the Genl Committee the handing over the prisoners to the United States *Vincennes* & that an order be given to the chief of police for the Same.¹—

Aaron Gansborough was put upon his evidence—as pr records—Mr B Sanders having been elected by the Genl Committee to fill the vacancy occasioned by the resignation of Wm T Coleman, took his seat in the Ex. Com.

adjourned to meet 10th at 8 PM

[Signed] Wm C Graham Sec

Minutes of Genl Comm Aug 9. 1851

Meeting called to order by Colonel Huie

Col Turner called to chair

Geo R Ward appointed Secy

On motion of Mr Brannan the Committee from Trinity Parish to present the banner from the ladies, were invited to the room

Mr Brooks presented the banner with most appropriate and flattering remarks The same was rec^d by the Chairman and Mr. Brooks replied to.²

¹ Minutes of the General Committee state that this motion referred to Hays and McKenzie. There is no evidence that they were ever transferred to the *Vincennes*, but the undated report in the case of Hays, on p. 441, shows that at some time Hays was temporarily removed from headquarters, probably in order to evade service of a writ of habeas corpus.

² The speeches made on this evening were reported in the papers, and interesting extracts are reprinted in the Introduction. The banner was displayed on special occasions, and, in 1856, it was carried in the great

[August 2, 1851]

Miss Oakes, Washburn, Ryckman, Garwood, Saunders, Blumens, Graham

Minutes read & adopted—

On Motion, resolved, that those parties deputed to present a flag from the Ladies of Trinity Parish this evening, have permission to enter the Committee Room and also be respectfully requested to withdraw at 11 o'clock the Committee are concluded as other important business will be before the Meeting.— Carried.—

Mr. McCabill reported that business & the death of his brother has been the cause of his absence & asked remittance of dues.—

adopted—

On Motion resolved as recommended to the Genl Committee the handing over the prisoners to the United States Treasury & that an order be given to the chief of police for the same.—

Aaron Garwood was put upon his oath—was re-elected by the Genl Committee to the Genl Committee having been elected by the Genl Committee to fill the vacancy occasioned by the resignation of W. T. Coleman took his seat in the Ex. Com

adjourned to meet 10th at 8 PM

[Signed] W. C. Graham Sec

Minutes of Genl Comm Aug 2, 1851

Meeting called to order by Colonel Hunt

Col Turner called to chair

Geo H Ward appointed Secy

On motion of Mr. Hennes the Committee from Trinity Parish to present the banner from the ladies, were invited to the room

Mr. Brooks presented the banner with most appropriate and flattering remarks. The same was read by the Chairman and

Mr. Brooks replied to.

Minutes of the General Committee state that this motion referred to Hays and McKee. There is no reference that they were ever mentioned to the Committee, but the minutes report in the issue of June 10, 1851, shows that at some time Hays was temporarily removed from membership probably in order to make room for a new member.

The speaker made on this evening, was reported in the paper and interesting extracts are reported in the introduction. The banner was displayed on special occasion and in 1850, it was carried in the great



PHOTOGRAPH OF THE BANNER PRESENTED BY THE LADIES OF TRINITY CHURCH.

It is 5 feet, 2 inches by 7 feet, 8 inches in size. The front is made of blue satin, with gilt lettering and decorations, shaded with darker blue and red. The oak, fig and olive are emblematic of the strength of the Committee of Vigilance, of the homes which it protected, and of the peace and safety which resulted from its suppression of crime.



PHOTOGRAPH OF THE HAZARD EXHIBITION OF THE LANCET ON TUBERCULOSIS
It is 5 feet 3 inches by 7 feet 3 inches in size. The front is made of thin white
with the lettering and decoration printed with indelible ink on the back. It is made of wood
and is waterproof in the strength of the material of the exhibition of the front which
is protected, and at the back and sides with leaded glass its exhibition is secure.



REVERSE OF THE BANNER.

The reverse is of pink satin, decorated with pink roses and blue morning glories, emblematic of the gentle natures of the donors. The banner was used by the Committees of 1851 and 1856, and was finally presented, as a memento of his services in both organizations, to John S. Ellis, late Brigadier General of the National Guard of California. It is now in the possession of his relatives, having escaped destruction in the fire of 1906, and the reproductions are from recent photographs in the collection of Mr. Hill Tolertonn, of San Francisco.



REVERSE OF THE FRONT

The reverse is of pink paper, decorated with light green and blue marbled paper. The reverse of the front is of the same color. The paper was used by the Committee of 1891 and 1892 and was finally presented as a monument to the memory of the organization in 1891. It is now in the possession of the National Board of Education. It is now in the possession of his relative, having been donated to the family of 1891 and the organization was from recent photographs in the collection of Mr. H. H. Johnson, of New York.

[August 9, 1851]

H A Barling, Jno Mc Kee and James H Edmonston tendered their resignations, stating they were about to leave the city On motion of Mr Bond those gentlemen had unlimited leave of absence

On motion of Mr Brannan the Banner was given into the Custody of the Ex Com^e.

On motion of Mr Haven the banner was ordered to be displayed 1 week.

On motion of Mr. Woodworth the banner was ordered to be displayed at each meeting.

Henry Moeller tendered his resignation which was laid on the table

On Motion of Mr Brannan, a Committee of 5 were appointed by the Chair to draft a suitable letter of thanks to the ladies of Trinity Parish for their beautiful present. viz F Woodworth Payran Delessert Capt Garwood Bond to which by resolution Col Turner the Chairman was added.

On motion of Mr Woodworth

³*Resolved* that the Serjeant at Arms be empowered to detail daily a proper and sufficient guard to do duty in this building, that he personally notify such members so detailed, and that any gentlemen receiving such notice who shall refuse or neglect to attend such summons, without a sufficient excuse, shall be prohibited from entering the rooms of this Committee.

Carried⁴

Beverly C Saunders on motion was elected to fill the vacancy in the Executive Committee occasioned by the resignation [. . .]

On motion of R Gibbons 404

Whereas, there is a United States Law⁵ inflicting a fine of

parade that marked the close of the activities of the second Committee of Vigilance. The editor has been informed that it was preserved in San Francisco until the fire of 1906.

³ The original drafts of the last four resolutions of this date are attached to the minutes.

⁴ On the back of the draft of this resolution appears the following:

Saturday Evening Augst 10th 1851

Be it resolved That we now adjourn Sine Die—

Be it moved that above resolution be laid on the Table.

⁵ See note 2, p. 134.

H. A. Barling, Jno. M. Kee and James H. Edmonston tendered their resignations, stating they were about to leave the city. On motion of Mr. Bond those gentlemen had unlimited leave of absence.

On motion of Mr. Brannan the Banner was given into the custody of the Ex. Comr.

On motion of Mr. Haven the banner was ordered to be displayed 1 week.

On motion of Mr. Woodworth the banner was ordered to be displayed at each meeting.

Henry Mueller tendered his resignation which was laid on the table.

On Motion of Mr. Brannan, a Committee of 5 were appointed by the Chair to draft a suitable letter of thanks to the ladies of Trinity Parish for their beautiful present viz F. Woodworth Payson, Deceased, Capt. Garwood Bond, to which by resolution Col. Turner the Chairman was added.

On motion of Mr. Woodworth

Resolved that the Sergeant at Arms be empowered to detail daily a proper and sufficient guard to do duty in this building, that he personally notify such members as detailed, and that any gentlemen receiving such notice who shall refuse or neglect to attend such summons, without a sufficient excuse, shall be prohibited from entering the rooms of this Committee.

Carried.

Heverly C. Saunders on motion was elected to fill the vacancy in the Executive Committee occasioned by the resignation [. . .]

On motion of H. Gibbons 404
Whereas, there is a United States Law* indicating a line of

parade that marked the close of the activities of the second Committee of Vigilance. The editor has been informed that it was presented in San Francisco with the fire of 1906.

* The original drafts of the last four resolutions of this date are attached to the minutes.

* On the back of the draft of this resolution appears the following:
Saturday Evening Aug. 10, 1851

Be it resolved that we now adjourn 'till 10c—
Be it moved that above resolution be laid on the Table.

* See note 2, p. 134.

[August 9, 1851]

One thousand Dollars upon Captains of vessels, for each convict that they bring from the penal Colonies of Great Britain to the shores of the United States—One half of which fine is awarded to the informer—therefor

Resolved—that the Executive Committee be directed to lodge information forthwith, against the Captains now in port, who have been guilty of this offence, and to prosecute the matter, and that the proceeds be appropriated to the objects of this Committee— Carried

R Gibbons 404

On motion

Resolved Motion that Prisoners Hays and McKenzie be sent on board U. S. S. *Vincennes*—and that James F. Curtis be authorized to make the necessary arrangements Carried

August 9th 1851

Motion of Dr Stout & amendment of Mr Brannan . . .⁶

Resolved that the names of delinquent members be called over and that all such members present be requested to come forward and pay over to one of the collectors appointed by this committee the amount of their delinquencies.—[Annotated:] Woodworth

Motion to adjourn

MISCELLANEOUS PAPERS

Wm. T. Coleman. [*Resignation*]

To the President & Members of the Executive Committee

Gentlemen. Business, nothing but close attention to business has prevented me from being constantly with you, & I have to crave your forbearance for my long absence— I am with you hand, heart & soul & I am sorry I cannot be personally present *all the time*, but whenever I am needed for action, *day or night*, command me confidently & unhesitatingly,—but I am compelled in justice to you, & to the General Committee to yield up the charge I had in connexion with your honorable body—Never

⁶ The draft of a resolution is torn from the Minutes, although a wafer remains.

[August 9, 1831]

One thousand Dollars upon Captains of vessels for each vessel that they bring from the port Colonies of Great Britain to the shores of the United States—One half of which sum is awarded to the informant—therefor

Resolved—that the Executive Committee be directed to lodge information forthwith against the Captains now in port who have been guilty of this offence, and to prosecute the matter, and that the proceeds be appropriated to the objects of this Committee—

Carried

R. Gibbons

On motion

Resolved Motion that Messrs Hays and McKenna be sent on board U. S. S. Vintager—and that James T. Curtis be authorized to make the necessary arrangements—

Carried

Motion of Dr. Stuart & amendment of Mr. Bennett

Resolved that the names of delinquent members be called over and that all such members present be required to come forward and pay over to one of the collectors appointed for this committee the amount of their delinquency—[Annotated: Wood-

worth

Motion to adjourn

MISCELLANEOUS MATTERS

Wm. T. Johnson [Washington]

To the President & Members of the Executive Committee
Gentlemen Business nothing but close attention to business has prevented me from being constantly with you. I have to crave your forgiveness for my long absence—I am with you hand, heart & soul & I am sure I cannot be personally present all the time but whenever I am needed for action day or night, command me constantly & respectfully—[but I am compelled in justice to you & to the United Committee to yield up the charge I had in connection with your honorable body—Never

* The draft of a resolution is sent from the Minutes, although a vote remains

[August 9, 1851]

have I felt such sincere regret in a similar matter in my life—
I have felt proud of the charge & wished to maintain it, but yield
it confidently unto those whose care & prudence is a guarantee
that the great good we have done, will not be destroyed by any
rash, ill advised or unwarranted movement—

[Signed] Wm. T. Coleman

[Addressed:]

To the Executive Committee

[*Resignation of Henry Moeller*]

Gentlemen,

Please accept my resignation as member of the "Committee
of Vigilance" Constant business at our office requires my
presence, without leaving me time to render my services to the
"Committee"

Respectfully

[Signed] Henry Moeller⁷

[Annotated:] Cannot be accepted

[Addressed:] To The Committee of Vigilance

Present

[*Report in the Case of Hays*]

Executive Committee respectfully report

That the Prisoner Hays was placed in the hands of Mr Hig-
gins and Mr Oaks two of the Committee for disposal Prisoner
is therefore no longer in custody which report your Committee
make for confirmation

[Signed] S Payran

Attest G. W. Ryckman

Presdt Ex Com

Sec. pro-tem

[Annotated:] Adopted

[*Resignation of Messers Barling, McKee and Edmondson*]

San Francisco Aug 5th 1851

To The Chairman of the Vigilance Committee

Dr Sir, As the undersigned have determined upon return-

⁷ Henry Moeller, V. C. No. 280, is incorrectly printed Hoeller in the
list of members. *Papers of the San Francisco Committee of Vigilance of
1851, I.*

[August 8, 1851]

have I felt such sincere regret in a similar matter in my life—
I have felt proud of the charge & wished to maintain it, but yield
it confidently unto those whose care & guidance is a guarantee
that the great good we have done, will not be destroyed by any
rash, ill advised or unwarranted movement—

[Signed] Wm. T. Coleman

[Addressed:]

To the Executive Committee

[Resignation of Henry Mosley]

Gentlemen,

Please accept my resignation as member of the "Committee
of Vigilance." Constant business at our office requires my
presence, without leaving me time to render my services in the
"Committee."

Respectfully

[Signed] Henry Mosley

[Annotated:] Cannot be accepted

[Addressed:] To the Committee of Vigilance

Present

[Report in the Case of Ways]

Executive Committee respectfully report

That the Prisoner Ways was placed in the hands of Mr Hig-
gins and Mr Oaks two of the Committee for disposal. Prisoner
is therefore no longer in custody which report your Committee
make for confirmation

[Signed] S. F. Ryan

Proced. Ex. Com.

Attest G. W. Ryckman

Sec. pro-tem

[Annotated:] Adopted

[Resignation of Messrs. Hartley, McKee and Edmundson]

San Francisco Aug 5th 1851

To the Chairman of the Vigilance Committee

Dr Sir, As the undersigned have declined upon resign-

Henry Mosley, V. C. No. 288, is necessarily printed Mosley in the
list of members. Copies of the San Francisco Committee of Vigilance of
1851, I.

[August 9, 1851]

ing to Baltimore by the Steamer of the 1st Proximo—they will require all the time left them, to prepare for that purpose; & have therefore to tender their resignations as members of the Vigilance Committee of San Francisco.

From the interest they feel in the success of the undertakings of the Committee, & the members of it individually—they would add, that they will ever have much pleasure in meeting them, especially, in their native place, Baltimore.

We remain

Your obt Svts

[Signed] Henry A. Barling

" Jno McKee

" James H Edmonson^s

} of the firm

} of

} Barling & McKee

[Annotated:] Unlimited leave of absence

Stephen Payran to Executive Committee. Aug 9, 1851

To the Executive Committee

Gentlemen Although about my business today, I am so indisposed by a severe cold as to be unable to attend your deliberations of this Evening, I feel aware of the importance of the deliberations to night, involving as it will many important matters, but with you there are many older and wiser heads than mine therefore nothing is to be feared by my absence; should imperious necessity require me, send me a note to the Mansion House, and I will come if possible

The offer of Middleton rooms I submit to you and appeal to Col Graham as to their fitness,

I would also propose the nomination of Mr Smiley to fill a vacancy in the Executive Board

Truly Yours

August 9th 1851

[Signed] S Payran

P. S. The \$25 received last Evening from M^{rs} Wilde for the keep of her Husband, I deposited with our treasurer, taking his receipt which I handed the Secretary of the Executive

Addressed

To the Executive Committee

^s The signature here is plainly Edmonson, but it is somewhat illegible in the roll of members, and appears as Edwardson in the list cited on p. 441.

* The signature here is plainly Edmondson, but it is somewhat illegible in the roll of members, and appears as Edmondson in the list cited on p. 441.

To the Executive Committee

Addressed

receipt which I handed the Secretary of the Executive
 keep of her husband, I deposited with our Treasurer, taking his
 P. S. The \$25 received last Evening from Mr. White for the
 August 9th 1851 [Signed] S. Payson

Truly Yours

vacancy in the Executive Board
 I would also propose the nomination of Mr. Smiley to fill a
 to Co. Graham as to their fitness.

The offer of Middleton rooms I submit to you and appeal
 House, and I will come if possible

important necessity, require me, send me a note to the Mansion
 mine therefore nothing is to be feared by my absence; should
 ters, but with you there are many other and wiser heads than
 deliberations to night, involving as it will many important mat-
 tions of this Evening, I feel aware of the importance of the
 disposed by a severe cold as to be unable to attend your delibera-
 Gentlemen. Although absent my business today, I am so in-

To the Executive Committee
 Stephen Payson to Executive Committee. Aug 8, 1851

[Annotated:] Unlimited leave of absence

} of the firm of Barling & McKee	James H. Edmondson	"
	John McKee	"
	Henry A. Barling	[Signed]
	Your obt. Svs	

We remain

ing them, especially, in their native place, Baltimore.
 they would add, that they will ever have much pleasure in meet-
 takings of the Committee, & the members of it individually—
 From the interest they feel in the success of the under-
 Vigilance Committee of San Francisco.

have therefore to tender their resignations as members of the
 require all the time left them, to prepare for that purpose; &
 ing to Baltimore by the Steamer of the 1st of February—they will

[Signed B. 1851]

[August 9, 1851]

[Report of Stephen Payran in Relation to Headquarters]

Gent

I would present to this Committee, that I have visited the Premises corner of Sacramento Street & Sansome Street over the Auction House of Middleton & Smiley and inspected two rooms adjoining each other, one of them 17×30 feet, the other 17×20 , Mr Middleton is willing to remove the partition, so as to make of it one large room, with an Executive room, for a rental of \$150 per month, perhaps would make it \$125—the Attic over the rooms is well calculated for Prisoners being large and airy, perhaps the rooms and use of attic might be had for \$150—this arrangement would give us ample room, the Sergeant at Arms could have his room in the attic, the entrance from the Street is 10 feet wide, all of which I respectfully present to your body for consideration.

[Signed] S Payran

August 9th 1851

[Addressed:]

To The Executive Committee
Present

Stephen Payran recommending T J L Smiley. Aug 9, 1851

Dr Sir

I respectfully present the name of Mr Smiley as a candidate to fill one vacancy in the Executive Board, I make the offer on the ground that Mr Smiley has always been a working member, not influenced by the bubbles of the day fearless and unflinching in the discharge of his duty, as well as a paying member, such are the kind of men we desire in our Board

Respectfully

Your Obdt Servt

August 9th 1851

[Signed] S Payran

[Addressed:]

To Capt Garwood
Executive Committee
Present

SAN FRANCISCO COMMITTEE OF VISITATION OF 1851 443
[August 2, 1851]
[Report of Stephen Payson in Relation to Headquarters]

Gent

I would present to this Committee that I have visited the premises corner of Sacramento Street & Sanson Street over the Auction House of Middleton & Smiley and inspected two rooms adjoining each other, one of them 17 x 30 feet, the other 17 x 20. Mr. Middleton is willing to remove the partition, so as to make of it one large room, with an Executive room for a rental of \$150 per month, perhaps would make it \$125—the attic over the rooms is well calculated for Prisoners being large and airy, perhaps the rooms and use of attic might be had for \$150—this arrangement would give an ample room, the Sergeant of Arms could have his room in the attic, the entrance from the Street is 10 feet wide, all of which I respectfully present to your body for consideration.

[Signed] S Payson

August 2nd 1851

[Addressed]

To The Executive Committee
Present

Stephen Payson recommending T J E Smiley Aug 2, 1851

Dr Sir

I respectfully present the name of Mr Smiley as a candidate to fill one vacancy in the Executive Board, I make the offer on the ground that Mr Smiley has always been a working member, not influenced by the bubbles of the day, earnest and unflinching in the discharge of his duty, as well as a paying member, such are the kind of men we desire in our Board.

Respectfully

Your Obedt Servt

August 2nd 1851

[Signed] S Payson

[Addressed]

To Capt Garrison
Executive Committee
Present

[August 9, 1851]

[Statement of E. L. Williams. Case of Richard Osman]

Edward L Williams— About the 1st of July Briggs & Morgan went to Monterey and continued down the coast to San Diego— One of the parties named got in a dispute in Monterey with J P Davies about some payment—he put his hand in his pocket and drew out a handfull of 50\$ pieces

On the Steamer *Goliah* after the Execution of Stewart there was a woman came down—and went ashore on the beach—the boat was pulled by a Sydney man—instead of going to the wharf she landed in a cove on the beach—the woman was said to be Mrs Hogan but I have since ascertained it was Mrs Osman—on the night succeeding the arrival—Osman came by the overland conveyance—in the morning as I was coming out of my house after breakfast and just upon the arrival of the *Goliah* I saw standing in front of the house of Mr Mathews (also a Sydney man) Mr Osman, partly concealed by a waggon on seeing me looking at him Mathews made a signal to him Osman then drew himself entirely behind the waggon so that I could not see him— I then went down to the wharf to receive some freight while there Mathews came down to the beach apparently watching the movements on board the steamer—while he was watching the boat pushed off with the woman for the Steamer—My attention was drawn off as I had goods to attend to—I was on the wharf with two Californians—and had been busy about 1½ an hour—Osman came running down and hailed the boat pulled by the same Sydney man and called the boat back—got in and went on board the steamer—the boat came back Mathews went to the boatman and whispered something to him—and placed something in his hand the boatman immediately put back to the Steamer with it—the boatman instead of coming back to the wharf went to this cove spoken of before the boatman remained in the boat close to the beach—laying on his oars—the Steamer then commenced getting under weigh— I turned to look at Mathews and he stood near a wood pile. I then turned to look at the Steamer getting under weigh— I then turned towards Mathews and saw another man standing with him—and from the fact of no person being with Mathews 5 seconds before I knew he must

[August 9, 1881]

[Statement of E. A. Williams. Case of Richard Gaman]

Edward I. Williams— About the 1st of July Briggs & Morgan went to Monterey and continued down the coast to San Diego— One of the parties named got in a dispute in Monterey with J. P. Davies about some payment—he put his hand in his pocket and threw out a handful of 500 pieces.

On the Steamer Godda after the expiration of Stewart there was a woman come down—and went ashore on the beach—the boat was pulled by a Sydney man—instead of going to the wharf she landed in a cove on the beach—the woman was said to be Mrs. Hogan but I have since ascertained it was Mrs. Gaman—on the night succeeding the arrival—Gaman came by the overland route—vengeance—in the morning as I was coming out of my house after breakfast and just upon the arrival of the Godda I saw standing in front of the house of Mr. Matthews (also a Sydney man) Mr. Gaman, partly concealed by a wagon—on seeing me looking at him Matthews made a signal to him—Gaman then drew himself entirely behind the wagon so that I could not see him—I then went down to the wharf to receive some freight—while there Matthews came down to the beach apparently watching the movements on board the steamer—while he was watching the boat pushed off with the woman for the Steamer—My attention was drawn off as I had goods to attend to—I was on the wharf with two Californians—and had been busy about 15 or 20 minutes—Gaman came running down and hailed the boat pulled by the same Sydney man and called the boat back—not in and went on board the steamer—the boat came back—Matthews went to the boat—man and whispered something to him—and placed something in his hand—The boatman immediately put back to the Steamer with it—the boatman instead of coming back to the wharf went to this cove again of before—the boatman remained in the boat close to the beach—lying on his ears—the Steamer then commenced getting under weigh—I turned to look at Matthews and he stood near a wood pile I then turned to look at the Steamer getting under weigh—I then turned towards Matthews and saw another man standing with him—and from the fact of no person being with Matthews 5 seconds before I knew he must

[August 9, 1851]

have been *concealed in the wood pile*—as he had not time to get there in any other way

Mathews said to him now is your time or hurry to him—he then ran down to the cove where the boat was waiting—the Steamer at this time under weigh—the man pulled off his coat and took an oar to overtake the Steamer—the man succeeded in reaching the Steamer and on board— I told the Purser of Steamer who he had on board, & requested him to watch them & notice where they got on shore— The Perser told me on his return from San Diego that he left them there doing some mechanical business— Yesterday I was in Charles Minturns Store House I there saw a box marked Richard Osman Warren House San Francisco in Kearney St—box small rudely constructed—and heavy contents packed with straw

[Signed] No. 650 Edw. L. Williams
of Monterey

San Francisco August 9. 1851

[Order, Case of Richard Osman]

It is ordered and requested that a certain Box marked Richard Osman, Warren House, Kearney Street San Francisco be opened and examined by Mr Woodworth, and Mr Ryckman who are deputed for this special duty and to report as to the result of their examination

Done by order of the Executive

August 9th 1851

[Signed] S Payran

Presdt of Ex Committee

Attest W^m C Graham

Secty Ex. Com.

The above constituted Committee in pursuance of the duty devolved upon them, respectfully beg leave to *Report*—

That they have examined the box referred to in the above order and find the contents thereof to be as follows, viz.

1 Set large size Gold Scales & Weights in a case

About 1 doz Fresh Eggs

Three or four Glass Jars Fresh Butter

have been concealed in the wood pile—as he had not time to get there in any other way.

Mathews said to him now is your time or hurry to him—he then ran down to the cove where the boat was waiting—the Steamer at this time under weigh—the man pulled off his coat and took an oar to overtake the Steamer—the man succeeded in reaching the Steamer and on board—I told the Porter of Steamer who he had on board, & requested him to watch them & notice where they got on shore—The Porter told me on his return from San Diego that he felt them there doing some mechanical business—Yesterday I was in Charles Minton's Store House I there saw a box marked Richard O'Connell Warren House San Francisco in Kearney St—box small neatly constructed—and heavy contents packed with straw.

[Signed] No. 630 Eddy J. Williams

of Monterey

San Francisco August 2, 1851

[Order, Case of Richard O'Connell]

It is ordered and requested that a certain Box marked Richard O'Connell, Warren House, Kearney Street San Francisco be opened and examined by Mr. Woodworth, and Mr. Ryckman who are deputed for this special duty and to report as to the result of their examination.

Done by order of the Executive

August 2^d 1851

[Signed] S. Patten

President of Ex Committee

Attest Wm C Graham

Secretary

The above constituted Committee in pursuance of the duty devolved upon them, respectfully beg leave to Report—That they have examined the box referred to in the above order and find the contents thereof to be as follows, viz
1 Set large size Gold Scales & Weights in a case
About 1 doz Fresh Eggs
Three or four Glass Jars Fresh Butter

[August 9, 1851]

1 doz Glass Tumblers

1 Cloth Brush—

They would also state that Mr Chas. Minturn at their request has kindly consented to give immediate notice to the Committee on the arrival of Osman or any other person claiming said Box.—

All of which is respectfully submitted

[Signed] Fredk A Woodworth

“ G. W. Ryckman

} Committee

San Francisco 11th Augt 1851

[Annotated:] adopted

[Letter from William Webster]

F Aargenty Esquire,

Dear Sir, I have been informed by Mayor Branham that a man named Bryon Donoly a late police man, Claims 2500\$ for the arrest of Lewis who was convicted for Setting fire to the City. as that reward was offered by the Mayor through a promise from many of the residents here who sign^d the Subscription paper, we think it proper to investigate the matter before the amount of the reward is handed over. they offer to appoint one person and we to appoint another to investigate the matter: if you cannot attend to it yourself as arbitrator will you appoint some person to sit on Monday next to settle the affair

Yours very truly

[Signed]

W^m WebsterSan Francisco 9th August 51

[Addressed:]

F. Argenty Esquire

Banker

&c &c &c

SUNDAY, AUGUST 10, 1851

MINUTES

Minutes Sunday Evening 10th August 1851

Executive Chamber

Sunday August 10th 1851

Monday August 10th 1851
Executive Chamber

STOCK, August 10, 1851
MEXICO

Banker

F. Agency Espino

[Addressed:]

San Francisco 20 August 51

[Signed]

W^m Webster

Yours very truly

some person to sit on Monday next to settle the affair
if you cannot attend to it yourself as arbitrator will you appoint
one person and we to appoint another to investigate the matter.
the amount of the reward is handed over. they offer to appoint
tion paper. we think it proper to investigate the matter before
promise from many of the residents here who sign the Subscrip-
City as that reward was offered by the Mayor through a
the arrest of Lewis who was convicted for setting fire to the
a man named Bryan Donohy a late police man. Claim 2500\$ for
Dear Sir, I have been informed by Mayor Freeman that

[Letter from William Webster]

[Annotated:] adopted

San Francisco 11th Augt 1851

G. W. Rydman

[Signed]

Frank A Woodworth

Committee

All of which is respectfully submitted

Box—

mitted on the arrival of Gammon or any other person claiming said
quest has kindly consented to give immediate notice to the Com-
They would also state that Mr. Glas. McIntosh at their re-

1 Cloth Brush—

1 Box Glass Tumblers

[August 9, 1851]

448

Account of Pacific Coast History

[August 10, 1851]

Present. Payran, Bluxome, Schenck, Ryckman, Woodworth,
Wadsworth Gorham, Graham.—

Gainsworth being again before the Committee was further examined as per records on file—and ordered to leave the Country in 20 days & not again to return under penalty of death—

Resolved that a written request be sent to Mr Cha^s Minturn to send to this Committee a certain Box marked Rich^d Osman.—

Mr Donelly was discharged under his own cognisance to come before this Committee when ever sent for.—

Resolved that the Serg^t at Arms be requested to make out an inventory of the effects of this Committee & report the same at next meeting.—

Resolved that Mess^{rs} Gorham & Wadsworth be a committee for the purpose of waiting upon the proprietor of this building & offer him one hundred & fifty dollars per mo. untill he can rent it.—

Resolved that the Committee report the propriety of reducing the Serg^t at Arms Salery to one hundred & fifty dollars—

No other business being before the Committee adjourned to meet tomorrow evening at 7½ OClock

[Signed] W^m C Graham Secty

MONDAY, AUGUST 11, 1851

MINUTES

[*Minutes of Executive Committee August 11, 1851*]

Executive Chamber

Monday Evening 11th August 1851

Present Payran Oakes Wadsworth Curtis Ellis
Bromley Gorham Ryckman Garwood Woodworth
Brindley Huie Graham

Committee met at 6½ OClock P M

The examination of Sam Whittaker¹ continued up to 10 OClock

¹ Three days after his arrest in Santa Barbara, Whittaker was in the custody of the Committee. The resolution of this day (p. 448), ordering that he should have the usual prison fare, and not plain bread and water,

Present. Taylor, Blinn, Schuch, Ryckman, Woodworth,
Wadsworth, Gorham, Graham—

Gainsworth being again before the Committee was further
examined as per records on file—and ordered to leave the County
in 30 days & not again to return under penalty of death—

Resolved that a written request be sent to Mr. Chief Minister
to send to this Committee a certain box marked Rich's Gunman—
Mr. Donnelly was discharged under his own cognizance to come
before this Committee when ever sent for—

Resolved that the Sergt. at Arms be requested to make out an
inventory of the effects of this Committee & report the same at
next meeting—

Resolved that Messrs. Gorham & Wadsworth be a committee
for the purpose of waiting upon the proprietor of this building
& offer him one hundred & fifty dollars per year until he can
rent it—

Resolved that the Committee report the property of releasing
the Sergt. at Arms Salary to one hundred & fifty dollars—
No other business being before the Committee adjourned to
meet tomorrow evening at 7 1/2 O'clock

[Signed] Wm C Graham Secy

Monday, August 11, 1851

minutes

[Minutes of Executive Committee August 11, 1851]

Executive Chamber

Monday Evening 11th August 1851

Present Taylor, Blinn, Wadsworth, Curtis, Ellis,
Bromley, Gorham, Ryckman, Garwood, Woodworth,
Brinley, Hain, Graham

Committee met at 6 1/2 O'clock P M

The examination of Sam Whittaker, continued up to 10
O'clock

Three days after his arrest in Santa Barbara, Whittaker was in the
custody of the Committee. The resolution of this day in 1851, ordering
that he should have the usual prison fare, and not be held bound and notice

[August 11, 1851]

The Committee appointed to wait upon C Minturn to examine a box directed to R. Osman, reported that they had examined the same & presented an inventory of contents Report accepted & Com discharged—

A communication was received from Edw L Williams No 650, with description of sundry individuals at Monterey & requesting to be admitted to ask Whittaker sundry questions relating to them. a resolution was prepared granting him the privilege after the main examination had been gone through with.—

The Committee appointed to see the proprietors of this building report that the[y] have attended to the same & that the Committee can continue at \$200 pr mo untill the same can be rented the proprietor given five days notice.— Report accepted & Com discharged—

Mrs Hogan was arrested & ordered to continue as a prisoner until after her examination—

Ordered that Whittaker be allowed the same living as the other prisoners.—

Adjourned to meet at 12 OClock M tomorrow

[Signed] W^m C Graham Secty

MISCELLANEOUS PAPERS

[*Letter from E. L. Williams*]

San Francisco Aug. 11. 1851

To The members of the "Executive Committee" of the "Vigilance Committee" of San Francisco—

Gentlemen Enclosed please find a description of sundry individuals whom are well known to your Body by name—

I have drawn the descriptions from memory and believe them to be faithful as far as the description goes—

Whittiker, I know and you now have him in your hands, he will probably during his examination corroborate much that I have said—

If it is within your rules I should much like to be present

indicated the existence of a sentiment in favor of his rigorous treatment. The *S. F. Herald*, August 22, made indignant denial of a current report that he had been half starved during his confinement.

[August 11, 1851]

The Committee appointed to wait upon C. Whittaker to examine a box directed to R. Gorman, reported that they had examined the same & presented an inventory of contents. Report accepted & Com discharged—

A communication was received from E. J. Williams No 450, with description of sundry individuals at Monterey & requesting to be admitted to ask Whittaker sundry questions relating to them. A resolution was prepared granting him the privilege after the main examination had been gone through with—

The Committee appointed to see the proprietor of this building report that they have attended to the same & that the Committee can continue at \$500 per mo until the same can be rented the proprietor given five days notice. Report accepted & Com discharged—

Mr Hogan was arrested & ordered to continue as a prisoner until after her examination—

Ordered that Whittaker be allowed the same living as the other prisoners—

Adjourned to meet at 12 O'clock Monday
[Signed] W. C. Gorman Secy

MISCELLANEOUS PAPERS

[Letter from E. J. Williams]

San Francisco Aug 11, 1851

To The members of the "Executive Committee" of the Vigilance Committee of San Francisco—

Gentlemen Enclosed please find a description of sundry individuals whom are well known to your body by name—

I have drawn the descriptions from memory and believe them to be faithful as far as the description goes—

Whittaker, I know and you now have him in your hands he will probably during his examination corroborate much that I have said—

If it is within your rules I should much like to be present

indicated the existence of a sentiment in favor of his vigorous treatment. The A. Board August 12 made independent denial of a correct report that he had been half starved during his confinement.

[August 11, 1851]

during his examination for there are certain matters concerning individuals in Monterey which he can explain if he chooses—

Very Respectfully Yours

[Addressed:] [Signed] Edw. L. Williams

Executive Committee of the Vigilance Committee

San Francisco

*Personal Description of Richard Osman, John Morris Morgan,
James Briggs, John Ryan, —Matthews,
—Whittiker, —Quick*

Furnished for the use of the "Executive Committee"

Furnished by Edw. L. Williams of Monterey No 650 of the Vigilance Committee of San Francisco

Richard Osman—Is about five feet four inches in height dark hair and Eyes—has a very intelligent countenance and rather pre-possessing in appearance—high forehead and full eye, cheeks slightly sallow—when last seen (about one month ago) he was closely shaved' tho he had been in the habit of wearing whiskers—wore striped Pantaloons of a lilac color—a kind of a pea jacket and was without vest—he is of slight build but has the appearance of being very quick and agile in his movements—sometimes wears a blue silk vest—with a Gold guard chain outside—he is in the opinion of your writer the most intelligent of the whole gang and is without doubt the planner and dictator of their movements—

John Morris Morgan—Is about two or three inches taller than Osman but very stout and burly frame inclining to obesity—dark brown hair, wears whiskers rather lighter color—a full face rather bloated like one who drinks is rather very fond of good living—is somewhat talkative and fraternising in his manners—the writer does not remember enough of his dress to furnish particulars except that he wore dark col^d clothes and a guard chain like Osmans—he is the stoutest built of the whole gang—and coarse in his bearing and manners—

James Briggs Is taller by one or two inches than either of the above—hair of a sandy color—eyes of a light brown and very rascaley face he never looks direct at a person but will cast his eyes down—he is strong built and evidently possesses great

San Francisco Committee of Vigilance (1851) 449
[August 11, 1851]

during his examination for there are certain matters concerning individuals in Monterey which he can explain if he chooses—

Very Respectfully Yours

[Addressed:] Edo. J. Williams

Executive Committee of the Vigilance Committee

San Francisco

Personal Description of Richard Osaman, John Morris Morgan,

James Briggs, John Ryan, ————

———Whittaker, ————Quick

Furnished for the use of the "Executive Committee"
Furnished by Edo. J. Williams of Monterey No 650 of the
Vigilance Committee of San Francisco

Richard Osaman—Is about five feet four inches in height dark hair and eyes—has a very intelligent countenance and rather prepossessing in appearance—high forehead and full eye, speaks slightly softer—when last seen (about one month ago) he was closely shaven, he had been in the habit of wearing whiskers—wore striped pantaloons of a lilac color—a kind of a pea jacket and was without vest—he is of slight build but has the appearance of being very quick and agile in his movements—sometimes wears a blue silk vest—with a Gold guard chain outside—he is in the opinion of your writer the most intelligent of the whole gang and is without doubt the planner and dictator of their movements—

John Morris Morgan—Is about two or three inches taller than Osaman but very stout and bulky frame inclining to obesity—dark brown hair, wears whiskers rather lighter color—a full face rather bloated like one who drinks is rather very fond of good living—is somewhat talkative and entertaining in his manner—the writer does not remember enough of his dress to furnish particulars except that he wore dark cloth clothes and a guard chain like Osaman—he is the stoutest built of the whole gang—and coarse in his bearing and manners—

James Briggs is taller by one or two inches than either of the above—hair of a sandy color—eyes of a light brown and very rascally face—he never looks direct at a person but will cast his eyes down—he is strong built and evidently possesses great

